

REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT NAIROBI
(CORAM: OMOLO, LAKHA & BOSIRE, J.J.A.)
CIVIL APPLICATION NO. NAI. 282 OF 1999 (103/99UR)

BETWEEN
CHARLES GICHINA MWANGI APPLICANT
AND
HENRY MUKORA MWANGI RESPONDENT

(Application for stay of execution in an intended appeal from a Judgment and Decree of the High Court of Kenya at Nairobi (Lady Justice Owuor) dated 25th June, 1998

in
H.C.C.A. NO. 128 OF 1992)

RULING OF THE COURT

This is an application for a stay of execution of judgment of the superior court given on 25 June 1998 in Civil Appeal No. 128 of 1992. There was no valid or any order for a stay of execution. The respondent completed the process of sub-division and obtained a fresh Title Deed on 30 August, 1999. In the circumstances there is nothing to stay. That being the position, the application for stay must be, as it hereby is, dismissed with costs.

Dated and delivered at Nairobi this 19th day of January, 2000.

R.S.C. OMOLO
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JUDGE OF APPEAL
A.A. LAKHA
.....
JUDGE OF APPEAL
S.E.O. BOSIRE
.....
JUDGE OF APPEAL

I certify that this is a true copy of the original.

DEPUTY REGISTRAR