



IN THE COURT OF APPEAL

AT NAIROBI

(CORAM: GICHERU, BOSIRE & OWUOR JJ.A)

CIVIL APPEAL NO. 177 OF 1998

BETWEEN

TRUST BANK LIMITED .....APPELLANT

AND

GEORGE ONGAYA OKOTH .....RESPONDENT

(Appeal from the Ruling of the High Court of Kenya at

Nairobi (Hayanga, J.) dated 4th May, 1998

in

H.C.C.C. No. 1135 of 1997)

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JUDGEMENT OF OWUOR, J.A.

I have had the advantage of reading and considering in draft the judgments of the learned Judges, Gicheru J.A. and Bosire J.A. I am in full agreement with the expressed conclusions therein and consider that there is nothing I can usefully add.

**Dated and delivered at Nairobi this 14th day of January, 2000.**

**E. OWUOR**

.....

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR.**