



REPUBLIC OF KENYA  
IN THE COURT OF APPEAL OF KENYA PEAL AT NAIROBI  
Civil Appli 14 of 2000

TETU COFFEE GROWERS CO-OPERATIVE SOCIETY ..... APPLICANT

AND

CO-OPERATIVE BANK OF KENYA ..... IST RESPONDENT

COFFEE BOARD OF KENYA ..... 2ND RESPONDENT

(An application for an injunction pending the lodging and hearing of an intended appeal

from the ruling of the High Court of Kenya at Nairobi (Justice Onyango Otieno) dated

21st January 2000

in

H.C.C.C. No.1952 of 1999)

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R U L I N G

The applicant Co-operative Society has moved this court for an injunction of a mandatory nature to compel the first respondent to release all monies it may have received from the second respondent for coffee delivered to it. It also prays that the second respondent be restrained by injunction from releasing any monies belonging to it to the first respondent until the final determination of the application or until further orders of the court. Their case is that they need the money they are claiming to enable them manage their farms and to provide for the families comprised in the applicant society. I am told that the relationship between the parties is governed by various contracts. However, I am unable to appreciate the urgency of this matter. Miss Kwamboka for the applicant says that delay in releasing the disputed money to her clients will render their intended appeal nugatory. As the dispute involves money a short delay will not fundamentally affect the applicant's members and for that reason I decline to certify the matter as urgent and order that it be heard in the normal manner.

Dated at Nairobi and delivered this 15th day of February, 2000.

S.E.O. BOSIRE

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JUDGE OF APPEAL

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

DEPUTY REGISTRAR