

REPUBLIC OF KENYA

IN THE COURT OF APPEAL
AT NAIROBI

CORAM: KWACH, J.A. (IN CHAMBERS)
CIVIL APPLICATION NO. NAI. 78 OF 1997

BETWEEN

ALEXANDER KAMWERUAPPLICANT

AND

ANNE WANJIRU KAMWERURESPONDENT

(Application for extension of time to file Notice
and Record of Appeal at the High Court of Kenya
at Nairobi (Mr. Justice Bosire) dated 9th May,
1995

in

H.C.C.C. NO. 75 OF 1992)

R U L I N G

This is an application under rule 4 of the Court of Appeal Rules for extension of time to file a Notice of Appeal and Record of Appeal. The respondent though served, has not appeared. The decision against which the applicant wishes to appeal was given by Bosire J (as he then was) on 9th May, 1995. The applicant appealed (C.A. No. 161 of 1995) against the decision but his appeal was struck out by this Court as incompetent on 15th April, 1997. He promptly brought this Notice of Motion on 18th April, 1997.

In exercise of my discretion I allow the application and extend time for filing a Notice of Appeal by seven (7) days from today and for lodging the Record of Appeal by fourteen (14) days from the date of filing the Notice of Appeal. There will be no order as to costs.