

REPUBLIC OF KENYA

IN THE COURT OF APPEAL
AT NAIROBI

CORAM: GICHERU, LAKHA & KEIWUA, J.J.A.
CIVIL APPEAL NO. 84 OF 2000

BETWEEN

MAJOR M. I. MUSYOKA1ST APPELLANT
MAJOR A. H. AMIN2ND APPELLANT
CAPTAIN R. W. MUTISYA3RD APPELLANT
SNR. SGT. H. M. MATHEKA4TH APPELLANT
SGT. C. MUTUA KYOA5TH APPELLANT

AND

THE CHIEF OF THE GENERAL STAFF ARMED
FORCES OF KENYA1ST
RTHEES POCNODMEMNATND ER OF THE KENYA ARMY2ND
RTHEES POCNODMEMNATN DANT DOD C.A.U.3RD
RTHEES POPNRDEESINDTI NG OFFICER OF THE COURT MARTIAL4TH
RTHEES POMNEDMBEENRTS OF THE COURT MARTIAL5TH
RESPONDENT

(Appeal from a Ruling and Order of the High Court of
Kenya at Nairobi (Mr. Justice Githinji) dated 4th April,
2000

in

H.C.MISC. C. NO. 318 OF 2000)

JUDGMENT OF GICHERU, J.A.

I have had the advantage of reading in draft the judgment of Ole Keiwua, J.A. I agree that this appeal should be allowed in terms of the orders proposed by him and as Lakha, J.A. agree, it is so ordered.

Dated and delivered at Nairobi this 7th day of July, 2000.

J. E. GICHERU

JUDGE OF APPEAL

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

DEPUTY REGISTRAR

