

REPUBLIC OF KENYA

IN THE COURT OF APPEAL

AT NAIROBI

(CORAM: AKIWUMI, J.A. (IN CHAMBERS))

CIVIL APPLICATION NO. NAI. 321 OF 1999 (UR 125/99)

BETWEEN

THE ATTORNEY GENERALAPPLICANT

AND

1. KAMLESH MANSUKHLALA DAMJI PATTNI

2. BERNARD KALOVE

3. LIONEL JOHN SMITHRESPONDENTS

(Application for extension of time to file Notice of Appeal and Record of Appeal in the intended Appeal from the Ruling of the High Court of Kenya at Nairobi (Lady Justice Aluoch) dated 11th February, 1999

in

MISC. APPLI. NO. 1296 OF 1998)

RULING

Mr. Gathenji: On 1.12.1999 the application for extension of time was adjourned by Gicheru JA in order that the 3rd Respondent who was not present, might be served with the related notice of motion and hearing notice so as to comply with Rule 49. By dint of this clear and implied direction that the 3rd Respondent be served with these notices, I move that in pursuance of Rule 17, it be ordered that the 3rd Respondent who resides outside the country in Dubai, be served with the notice of motion and hearing notice by means of the comparable process that applies in such a case in the superior court of Kenya. O R D E R I agree and it is so ordered.

Dated and delivered at Nairobi this 11th day of July, 2000.

A. M. AKIWUMI

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JUDGE OF APPEAL

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

DEPUTY REGISTRAR.