



REPUBLIC OF KENYA

IN THE COURT OF APPEAL

AT NYERI

CORAM: KWACH, OMOLO & O'KUBASU, JJ.A

CIVIL APPLICATION NO. NAI. 123 OF 2000 (4/2000)

BETWEEN

CHRISTOPHER MWANGI KIBUNJA substituted for

WALTER KIBUNJA KAHIA.....APPLICANT

AND

JAMES WACHIRA KAHIA substituted for

KAHIA

KARUA.....RESPONDENT

(Application to strike out the Notice of Appeal from an order of the High Court of Kenya at Nyeri (Tunoi, J) dated 12th October, 1990

in

H.C.C.C. NO. 60 OF 1987)

RULING OF THE COURT

The application to strike out the notice of appeal is not opposed. Indeed it could not have been opposed in the circumstances.

We allow the application and strike out the notice of appeal dated the 12th October, 1990 and lodged in court on 18th October, 1990. We make no order as to costs.

Dated and delivered at Nyeri this 27th day of October, 2000.

R.O. KWACH

JUDGE OF APPEAL

R.S.C. OMOLO

JUDGE OF APPEAL

E. O'KUBASU

JUDGE OF APPEAL

certify that this is a true copy of the original.

DEPUTY REGISTRAR