



REPUBLIC OF KENYA

IN THE COURT OF APPEAL

AT NYERI

CORAM: OMOLO, SHAH & BOSIRE, J.J.A

CIVIL APPLICATION NO. NAI. 217 OF 1999 (NYR.17/99)

BETWEEN

SAMSON M'IKUNYUA.....APPLICANT

AND

1. CECILIA NKATHA MBUGUA

2. MERU CENTRAL LAND DISPUTES TRIBUNAL.....RESPONDENT

(Application for injunction and stay of proceedings in an intended appeal from the ruling and order of the High Court of Kenya at Meru (Osiero, J) dated 25th June, 1999

in

H.C.C.C. NO. 96 OF 1998)

RULING OF THE COURT

Mr. Kariuki applies, now, to withdraw this application as the land, the subject-matter of this application, has already been transferred to the first respondent who has sold a portion thereof to third parties. There is no provision for withdrawal of an application in the Rules of this Court. The application is dismissed but we make no order as to costs.

Dated and delivered at Nyeri this 26th day of October, 2000.

R.S.C. OMOLO

JUDGE OF APPEAL

A.B. SHAH

JUDGE OF APPEAL

S.E.O. BOSIRE

JUDGE OF APPEAL

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