



IN THE COURT OF APPEAL
AT NAIROBI
(CORAM: AKIWUMI, TUNOI & O'KUBASU J.J.A)
CIVIL APPLICATION NO. NAI.139 OF 2000 (UR. 63/2000)

BETWEEN

OLOOLOLO GAME RANCH LIMITEDAPPLICANT

AND

1. ABERCROMBIE & KENT LTD IST RESPONDENT

2. ILKAREKESHE GROUP TRUST

REGISTERED TRUSTEES 2ND RESPONDENT

(An appeal from the judgement of the High Court of Kenya at Nairobi (Justice Oguk) dated the 20th December,

1999
in
H.C.C.C. NO.3457 OF 1995)

RULING OF THE COURT

The Notice of Appeal filed in this matter is defective inter alia that in that it does not contain the proper name of the second defendant as one of those who being dissatisfied with the judgment of Oguk J. intends to appeal against the decision of that Judge. This defect has been conceded by the Counsel for the intended appellants who subsequently sought leave in Civil Application No. NAI 230/2000 for extension of time to amend the defective Notice of Appeal.

In the circumstances we have no option but to grant the present application to strike out the Notice of Appeal dated 21.12.99 and filed on 21.12.99 with cost assessed at 2000/=/

Dated and delivered at Nairobi this 15th day of November, 2000.

A.M. AKIWUMI

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JUDGE OF APPEAL
P.K. TUNOI.....

JUDGE OF APPEAL
M. O'KUBASU.....
JUDGE OF APPEAL

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

DEPUTY REGISTRAR

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