



**REPUBLIC OF KENYA**  
**IN THE COURT OF APPEAL**  
**OF NAIROBI**  
**CIVIL MISC APPL 246 OF 100**

**SHAH HIRJI MANEK LIMITED ..... APPLICANT**

**RAMESH PREMCHAND SHAH**

**SUNNY STYLE MANUFACTURERS**

**NAKUMATT HOLDINGS LIMITED..... RESPONDENTS**

**RULING THE COURT**

This is an application under rule 50 of the Rules of this Court to strike out the notice of appeal lodged in Court on 30th August, 1999. The ruling of the superior court was delivered on 30th July, 1999 making 4th October, 1999 as the last day for filing the appeal which was done well after without obtaining any leave or a valid extension. The appeal filed is out of time. Accordingly, the notice of appeal falls to be struck out. The application succeeds and the notice of appeal is struck out with costs including the costs of the application.

**2000.**

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**A. A. LAKHA**

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**