



**REPUBLIC OF KENYA**  
**IN THE COURT OF APPEAL**  
**AT KISUMU**  
**(CORAM: GICHERU, TUNOI & LAKHA, JJ.A.)**  
**CIVIL APPEAL NO. 167 OF 1998**  
**BETWEEN**

**THE ATTORNEY GENERAL OF KENYA .....APPELLANT**  
**AND**  
**ST. LEONARDS HOSPITAL LTD. ....RESPONDENT**

**(Appeal from the Ruling of the High Court of Kenya at Kisumu (Hon. Mr. Justice Wambiliangah)  
dated the 21st day of May, 1998 in a Notice of Motion dated 16th February, 1998 in**

**H.C.C.MISC. APPLICATION NO. 3 OF 1998)**

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**ORDER OF THE COURT**

By consent of both the appellant and the respondent:-

1.This appeal is hereby marked as settled under the following terms:

(i)The order made by Wambilyangah J on 21st May, 1998 in Misc. C.A. No. 3 of 1998

be and is hereby quashed and set aside with no order as to costs. (ii)The respondent herein, St. Leonards Hospital Ltd. be considered for re-accreditation to NHIF without any conditions and/or terms.

2. Each party to bear its own costs of this appeal.

**Dated and delivered at Kisumu this 24th day of November, 1999.**

**J.E. GICHERU**

.....

**JUDGE OF APPEAL**

**P.K. TUNOI**

.....

**JUDGE OF APPEAL**

**A.A. LAKHA**

.....

**JUDGE OF APPEAL**

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

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