



**IN THE COURT OF APPEAL**

**AT NYERI**

**CORAM: GICHERU, KWACH & LAKHA, JJ.A.**

**CIVIL APPEAL NO. 25 OF 1996**

**BETWEEN**

**MURIITHI WACHIRA .....APPELLANT**

**TABITHS WANGARE MURIITHI.....APPELLANT**

**AND**

**ELIJAH MAINA.....RESPONDENT**

*(Appeal from the judgement and decree of the High Court of Kenya at Nyeri(Tunoi, J.) dated 10<sup>th</sup> January, 1994*

**IN**

**H.C.C.C. NO. 35 OF 1988**

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**ORDER OF THE COURT**

The record of the appellant's does not contain a certified copy of the decree appealed against. In the result the said appeal is incompetent and the same is struck out with no order as to costs

**Dated and delivered at Nyeri this 16<sup>th</sup> day of October, 1996**

**J. E. GICHERU**

.....

**JUDGE OF APPEAL**

**R. O. KWACH**

.....

**JUDGE OF APPEAL**

**A. A. LAKHA**

.....

**JUDGE OF APPEAL**

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

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