



REPUBLIC OF KENYA

IN THE COURT OF APPEAL  
AT NAKURU

CORAM: GICHERU, SHAH, JJ.A. & BOSIRE, AG. J.A.  
CIVIL APPLICATION NO. NAI 196 OF 1997

BETWEEN

SAMSON ZACHARY  
JOHN NGANGA .....APPLICANTS

AND

FLORENCE ACHIENG  
RATEMO NYAMBATI  
THE ATTORNEY GENERAL .....RESPONDENTS

(An application to strike out a notice of appeal from the  
judgment and decree of the High Court of Kenya at Nakuru  
(Tunoi J) dated 2nd April, 1990

in

H.C.C.C. NO. 37 OF 1988)

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RULING OF THE COURT

The applicants' application not being opposed by counsel for the respondent, the same is granted so that the respondent's notice of appeal lodged on 18th April, 1990 is struck out with costs to the applicant.

**Dated and delivered at Nakuru this 26th day of September, 1997.**

**J. E. GICHERU**

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**JUDGE OF APPEAL**

**A. B. SHAH**

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**JUDGE OF APPEAL**

**S. E. O. BOSIRE**

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**AG. JUDGE OF APPEAL**

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