



Case Number:	Civil Appeal 81 of 2014
Date Delivered:	07 May 2015
Case Class:	Civil
Court:	Court of Appeal at Kisii
Case Action:	Order
Judge:	Daniel Kiio Musinga, Agnes Kalekye Murgor, Stephen Gatembu Kairu
Citation:	Benard Otieno Ayieko v Krisantus Odero [2015] eKLR
Advocates:	-
Case Summary:	-
Court Division:	Civil
History Magistrates:	-
County:	Kisii
Docket Number:	-
History Docket Number:	Misc.Appl. No.10 Of 2013
Case Outcome:	Appeal dismissed for want of prosecution
History County:	Homa Bay
Representation By Advocates:	-
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-

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IN THE COURT OF APPEAL

AT KISII

(CORAM: MUSINGA. GATEMBU & MURGOR JJ.A.)

CIVIL APPEAL NO. 81 OF 2014

BETWEEN

BENARD OTIENO AYIEKO.....APPELLANT

AND

KRISANTUS ODERO.....RESPONDENT

(Appeal from the Ruling of the High Court of Kenya at Homa-Bay

(Maina, J.) dated 14th November, 2013

MISC.APPL. NO.10 OF 2013

ORDER OF THE COURT

The appellant's advocate was duly served with today's hearing notice on 20th April, 2015. He acknowledged service by stamping and signing on the face of the hearing notice.

He is however not in court to prosecute the appeal dated 5th May, 2014. The respondent is also not in court. We understand that the appellant's counsel was to serve today's hearing notice upon the respondent.

In the circumstances, this appeal is dismissed for want of prosecution pursuant to the provisions of rule 102 (1) of this Court's Rules.

We make no order as to costs.

Dated at Kisii this 7th day of May, 2015

D.K. MUSINGA

.....

JUDGE OF APPEAL

S. GATEMBU KAIRU

.....

JUDGE OF APPEAL

A.K.MURGOR

.....

JUDGE OF APPEAL

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true copy of the original

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