



Case Number:	civ app 152 of 99
Date Delivered:	08 Nov 1999
Case Class:	Civil
Court:	Court of Appeal at Nairobi
Case Action:	-
Judge:	Samuel Elikana Ondari Bosire, Abdulrasul Ahmed Lakha, Richard Otieno Kwach
Citation:	MALINDI AIR SERVICES & ANOTHER vs HALIMA ABDINOOR HASSAN[1999] eKLR
Advocates:	-
Case Summary:	-
Court Division:	-
History Magistrates:	-
County:	-
Docket Number:	-
History Docket Number:	-
Case Outcome:	-
History County:	-
Representation By Advocates:	-
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-

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REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT NAIROBI
(CORAM: KWACH, LAKHA & BOSIRE, JJ.A.)
CIVIL APPEAL NO. 152 OF 1999
BETWEEN

MALINDI AIR SERVICES 1ST APPELLANT
JOHN M. CLEAVE 2ND APPELLANT
AND
HALIMA ABDINOOR HASSAN RESPONDENT

(Appeal from the Ruling of the High Court of Kenya at Nairobi given by (Hon. Justice Mbogholi Msagha) on 6th August, 1998

in

H.C.C.C. NO. 1509 OF 1998)

RULING OF THE COURT

This is an application under rule 80 of the Rules of this Court to strike out Civil Appeal No. 152 of 1999 on the main ground that the Order included in the record is not the Order of the Court since para (c) of the Ruling is not reflected in the Order included in the record. Accordingly, the Order does not reflect the decision of the Court. The record, is therefore, incurably defective and renders the appeal incompetent. It is, therefore, struck out with costs including the costs of the Notice of Motion.

Made and delivered at Nairobi this 8th day of December, 1999.

R.O. KWACH

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JUDGE OF APPEAL

A.A. LAKHA

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JUDGE OF APPEAL

S.E.O. BOSIRE

.....

JUDGE OF APPEAL

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

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