



Case Number:	civ app 109 of 99
Date Delivered:	15 Dec 1999
Case Class:	Civil
Court:	Court of Appeal at Nairobi
Case Action:	-
Judge:	Johnson Evan Gicheru, Riaga Samuel Cornelius Omolo, Richard Otieno Kwach
Citation:	STEPHEN WANYEE KINUTHIA vs SIMON MACHARIA KINUTHIA[1999] eKLR
Advocates:	-
Case Summary:	-
Court Division:	-
History Magistrates:	-
County:	-
Docket Number:	-
History Docket Number:	-
Case Outcome:	Allowed
History County:	Baringo
Representation By Advocates:	Neither party represented
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-

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REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT NAIROBI
(CORAM: GICHERU, KWACH & OMOLO, JJ.A.)
CIVIL APPEAL NO. 109 OF 1999
BETWEEN

STEPHEN WANYEE KINUTHIA APPELLANT
AND
SIMON MACHARIA KINUTHIA RESPONDENT

RULING OF THE COURT

As Mr. Kigotho, for the appellant, concedes that the error on the memorandum of appeal is fatal and therefore renders the appeal incompetent, we have no option but to strike out the appeal, which we hereby do. The respondent will have the costs of the motion and the appeal.

Orders accordingly.

Dated and delivered at Nairobi this 15th day of December, 1999.

J. E. GICHERU
.....
JUDGE OF APPEAL

R. O. KWACH
.....
JUDGE OF APPEAL

R. S. C. OMOLO
.....
JUDGE OF APPEAL

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