



Case Number:	Civil Application Nai. 4 of 1999
Date Delivered:	27 Jan 1999
Case Class:	Civil
Court:	Court of Appeal at Mombasa
Case Action:	Ruling
Judge:	Amrittal Bhagwanji Shah, Effie Owuor, Richard Otieno Kwach
Citation:	Gharib Mohamed Gharib v Sulekha Mohamed Naaman[1999] eKLR
Advocates:	-
Case Summary:	-
Court Division:	Civil
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 MOMBASA
(CORAM: KWACH, SHAH & OWUOR JJ.A)
CIVIL APPLICATION NO. NAI. 4 OF 1999
BETWEEN

GHARIB MOHAMED GHARIB.....APPLICANT
AND
SULEKHA MOHAMED NAAMAN.....RESPONDENT

(An application to file appeal out of time in an intended appeal from a ruling of the High Court of Kenya at Mombasa at (Mr. Justice Waki), dated 23/7/98

in
H.C.C.C. NO. 2 OF 1998)

RULING OF THE COURT

This is a reference to full court from the decision of Omolo JA sitting as a single judge of this Court by which he rejected the applicant's application for extension of time to file an appeal.

There is no basis upon which we can say that the single judge was wrong in taking the view that by applying for review the applicant had made his election and was bound by it. In the circumstances we find no merit in this reference and it is accordingly dismissed with costs to the respondent.

Dated and delivered at Mombasa this 27th day of January, 1999.

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

A. B. SHAH
.....
JUDGE OF APPEAL

E. OWUOR
.....
JUDGE OF APPEAL

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