



REPUBLIC OF KENYA

IN THE COURT OF APPEAL  
AT NAIROBI  
(CORAM: KWACH, TUNOI & LAKHA, J.J.A.)  
CIVIL APPEAL NO. 101 OF 1994

BETWEEN

COAST BUS COMPANY .....APPELLANT  
AND  
GIDEON NDEKE MUNYAO (SUNG AS NEXT OF KIN TO  
JONAH NDEKE MUNYAO AND NZEMBI MUNYAO .....RESPONDENT

(Appeal from judgment of the High Court of Kenya at  
Machakos (Honourable Mr. Justice Osiemo) dated 17th  
March 1993

in  
H.C.C.C. NO. 96 OF 1993)  
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ORDER OF THE COURT

The decree incorporated in the record of appeal lodged in this court on 28th June, 1994 is wrongly dated and therefore, contravenes Order 20 rule 7 of the Civil Procedure Rules. Consequently, the appeal is rendered defective and is accordingly struck-out. The order of stay granted by the superior court is vacated and the money deposited with Prudential Finance Co. Ltd. is ordered released to the respondent. We make no order as to costs.

**Dated and delivered at Nairobi this 5th day of November, 1986.**

**R. O. KWACH**

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**JUDGE OF APPEAL**

**P. K. TUNOI**

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**JUDGE OF APPEAL**

**A. A. LAKHA**

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**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**