**Devshi v Diamond Concrete Co**

**Division:** Court of Appeal at Nairobi

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**Date of judgment:** 5 December 1974

**Case Number:** 16/1974 (6/75)

**Before:** Law Ag V-P

**Sourced by:** LawAfrica

*[1] Appeal – Out of time – No action for* 3½ *years – Application refused although not opposed.*

**Editor’s Summary**

The applicant applied for extension of time for filing his record of appeal, notice of appeal having been given 3½ years ago and no steps having been taken in the meanwhile. The respondent did not oppose the application.

**Held –** the court was not satisfied that there was any reason why the appeal was not lodged in time.

Application dismissed.

**No cases referred to in judgment**