



REPUBLIC OF KENYA



**Gatabaki v New Attitude Limited & 2 others (Commercial Case E165 of 2022)
[2022] KEHC 12899 (KLR) (Admiralty) (25 July 2022) (Ruling)**

Neutral citation: [2022] KEHC 12899 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
ADMIRALTY
COMMERCIAL CASE E165 OF 2022
DO CHEPKWONY, J
JULY 25, 2022**

BETWEEN

DR SAMUAL MUNDATI GATABAKI PLAINTIFF

AND

NEW ATTITUDE LIMITED 1ST DEFENDANT

PETER KIARIE MURAYA 2ND DEFENDANT

SUE WACHEKE MURAYA 3RD DEFENDANT

RULING

1. The matter is for hearing of the application dated June 29, 2022 in which the firm of M/S Murgor & Co Advocates have sought for leave to cease acting for the 1st, 2nd and 3rd defendants for want of instructions.
2. I have read through the grounds set out in the face of the application and the further affidavit of Otieno Bob sworn on even date. I find the averments therein are not challenged and therefore the prayers sought for in the application are granted as presented.
3. I therefore order that:-
 - a. The firm of M/s Murgor & Murgor, Advocates be and are hereby granted leave to cease acting for the 1st, 2nd and 3rd defendants.
 - b. Costs of the application to be in the cause.
 - c. Parties to fix a mention for further directions.



RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT NAIROBI THIS 25TH. DAY OF JULY. 2022.

D O CHEPKWONY

JUDGE

In the presence of:

Mr Bon Otieno counsel for 1st, 2nd and 3rd defendants

No appearance for and by plaintiff

Court assistant - Sakina

