



REPUBLIC OF KENYA



KENYA LAW
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**Makomele v Mmbesu (Suing in own capacity as administrator of Estate of Joash Avedi Ombese)
(Civil Appeal E001 of 2021) [2022] KEHC 16907 (KLR) (23 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16907 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT VIHIGA
CIVIL APPEAL E001 OF 2021
WM MUSYOKA, J
DECEMBER 23, 2022**

BETWEEN

JOYCE ATUO MAKOMELE APPELLANT

AND

**HARUN MWACHI MMBESU (SUING IN OWN CAPACITY AS
ADMINISTRATOR OF ESTATE OF JOASH AVEDI OMBESE) RESPONDENT**

*(An appeal arising from the Judgment of Hon. RM Ndombi, Senior Resident
Magistrate, delivered on 12th February 2021, in Vibiga PMCCC No. 128 of 2017)*

RULING

1. The original trial court records have not been made available, so I am unable to complete preparation of the judgment herein.
2. Deputy registrar to call for the same.
3. The matter will be allocated a date for mention to confirm that they have been availed, and to allocate a date for judgment.

**DELIVERED, DATED AND SIGNED IN OPEN COURT AT KAKAMEGA ON THIS 23rd DAY OF
DECEMBER 2022**

WM MUSYOKA

JUDGE

Erick Zalo, Court Assistant.

Mr. Peter M. Karanja, Advocate for the appellant.

Mr. Osango, instructed by Osango & Company, Advocates for the respondent.

