



Mbiti v Mwilu & another; Attorney General & 2 others (Interested Parties) (Constitutional Petition E002 of 2021) [2021] KEHC 8952 (KLR) (15 February 2021) (Ruling)

Mwongela Isaiah Mbiti v Philomena Mbete Mwilu & another; Attorney General & 2 others (Interested Parties) [2021] eKLR

Neutral citation: [2021] KEHC 8952 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
CONSTITUTIONAL PETITION E002 OF 2021**

PJO OTIENO, J

FEBRUARY 15, 2021

BETWEEN

MWONGELA ISAAH MBITI PETITIONER

AND

HON LADY JUSTICE PHILOMENA MBETE MWILU 1ST RESPONDENT

THE JUDICIAL SERVICE COMMISSION 2ND RESPONDENT

AND

ATTORNEY GENERAL INTERESTED PARTY

DIRECTOR OF PUBLIC PROSECUTIONS INTERESTED PARTY

DIRECTOR OF CRIMINAL INVESTIGATIONS INTERESTED PARTY

RULING

1. Having disclosed my association with Kituo Cha Sharia as a member of its Annual General Meeting, none of the counsel parties have expressed any reservation about my inability to deal with this matter impartially and judiciously. In those circumstances, I find no reason to recuse myself as I am able to follow my conscience and belief notions of justice, fairness and the rule of law.
2. With concurrence of the parties, I shall hear the matter unless there be any reason to justify otherwise.
3. On the request by counsel for the 1st respondent that the interim stay of the interim conservatory orders be extended, I am indeed minded to maintain the litigation field even and level. I direct that the position prevailing as of today, when the file was first called out, be maintained. That advices that the stay order be extended till the 4.3.2021.



DATED, SIGNED AND DELIVERED AT MERU THIS 15TH DAY OF FEBRUARY 2021

PATRICK J O OTIENO

JUDGE

