



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT NAIROBI (NAIROBI LAW COURTS)**  
**Civil Suit 466 of 2009**

**PAUL KIBUGI MUIE .....PLAINTIFF**

**V E R S U S**

**UNIKEN MARKETING SERVICES LIMITED .....DEFENDANT**

**By way of counter claim**

**UNIKEN MARKETING SERVICES LIMITED .....PLAINTIFF**

**V E R S U S**

**PAUL KIBUGI MUIE .....DEFENDANT**

**ORDER**

On perusing the pleadings and affidavits in the file I have noted that a matter involving the property and parties herein came before the Auctioneers Licensing Board, of which I am the Chairman, following instructions to an auctioneer to levy distress against the Plaintiff on the property. The Board heard the disciplinary complaint and made decision against the auctioneer.

It would not be right, just or fair for me to sit in judgment in this matter given that background. I consequently recuse myself from the matter and ask the Principal Judge to allocate it to any other Judge.

**DATED AND DELIVERED AT NAIROBI**

**THIS 28<sup>TH</sup> OF SEPTEMBER 2010**

**1. O. MUCHELULE**

**JUDGE**