

**REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (NAIROBI LAW COURTS)**

CIVIL CASE 57 OF 2010

PAUL K. MUIITEPLAINTIFF

V E R S U S

**NATIONAL BANK OF KENYA LTD1ST DEFENDANT
UNIKEN MARKETING SERVICES LTD2ND DEFENDANT
J. W. GICHEHA3RD DEFENDANT
PETER MAINA NDIRANGU T/A
EXPRESS SERVICES AGENCY4TH 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 4TH OF OCTOBER 2010**

**O. MUCHELULE
J U D G E**