



Amugune v Advocates Disciplinary Tribunal (Judicial Review Application E024 of 2025) [2025] KEHC 2598 (KLR) (Judicial Review) (13 March 2025) (Ruling)

Neutral citation: [2025] KEHC 2598 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
JUDICIAL REVIEW APPLICATION E024 OF 2025
RE ABURILI, J
MARCH 13, 2025**

BETWEEN

BILLY AMENDI AMUGUNE APPLICANT

AND

THE ADVOCATES DISCIPLINARY TRIBUNAL RESPONDENT

RULING

1. The application before court by way of Originating Motion is brought pursuant to the provision of the *Fair Administrative Action and Rules*.
2. The applicant also filed a Notice of Motion dated 27/2/2025 seeking for enlargement of time within which to file the Originating Motion and interim reliefs to stay the implementation of the decisions which are impugned.
3. I note that the applicant did not enjoin the main complainant to these proceedings and neither did he enjoin the Chief Registrar of the Judiciary who gazettes the striking off the advocate from the Roll of Advocates.
4. Given those circumstances, for this court to make appropriate orders, it must first be sure that the Originating Motion is validly filed. As at now, it was filed out of time and this court cannot grant those orders enlarging time before according the other parties the opportunity to be heard on the application.
5. Accordingly, I decline to grant interim reliefs at the moment and direct as follows:
 1. That the Chief Registrar of the Judiciary is hereby enjoined to these proceedings as a Respondent.



2. That the complainant in the matter before the Advocates Disciplinary Tribunal, Mr. Joseph Njeru be enjoined to these proceedings as an interested party.
3. That the Law Society of Kenya be enjoined to these proceedings as an interested party noting their significant role in the regulation of practice by Advocates in the country.
4. That the prayer for enlargement of time and interim relief be heard inter partes.
5. That all the parties as enjoined be served forthwith with the Originating Motion and the Notice of Motion dated 27/2/2025 (if not yet served) together with a hearing notice for the hearing of the Notice of Motion dated 27/2/2025 by way of oral submissions on 24/3/2025.
6. Any party who wishes to file a response to the Originating Motion and the Notice of Motion to do so within 5 days of date of service. The applicant will thereafter have 3 days to file a further affidavit if need be.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 13TH DAY OF MARCH, 2025

R.E. ABURILI

JUDGE

