



Mentor Group Limited v Doreen Kibia (Sole Arbitrator) & another (Miscellaneous Application E412 of 2024) [2025] KEHC 4168 (KLR) (Commercial and Tax) (3 April 2025) (Ruling)

Neutral citation: [2025] KEHC 4168 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI COMMERCIAL COURTS)
COMMERCIAL AND TAX
MISCELLANEOUS APPLICATION E412 OF 2024**

A MABEYA, J

APRIL 3, 2025

BETWEEN

MENTOR GROUP LIMITED APPLICANT

AND

DOREEN KIBIA (SOLE ARBITRATOR) 1ST RESPONDENT

GEORGE NDUATI MUNENE 2ND RESPONDENT

RULING

1. Before Court is a Notice of Motion dated 16/5/2024 and brought under sections 13 and 14 of the *Arbitration Act*. It sought for the removal of the 1st respondent from being the Arbitrator in the arbitration between the applicant and the 2nd respondent.
2. Further, it sought that the mandate of the 1st respondent as Arbitrator in the arbitration dispute between the applicant and the 2nd respondent herein as per the appointment letter dated 18/10/2023 be terminated. Consequently, that the Chartered Institute of Arbitrators (Kenya Chapter) be directed to appoint a different sole Arbitrator to determine the dispute between the applicant and the 2nd respondent as per the agreement dated 25/11/2005 between the applicant and the 2nd respondent.
3. When I was in process of preparing the ruling, I discovered that I had dealt with a similar application in 2022 and removed the first Arbitrator. At that time, I made firm opinions on the matter which in my view might not let the Court consider the matter dispassionately. In this regard, I do recuse myself and direct that the matter be placed before the Presiding Judge of the Division to allocate the same to another Court for determination.

It is so ordered.

DATED AND DELIVERED AT KISUMU THIS 3RD DAY OF APRIL, 2025.



A. MABEYA, FCI Arb

JUDGE

