



Kenya Orient Insurance Company Limited v Kiptoo & another (Civil Appeal E205 of 2024) [2025] KEHC 13490 (KLR) (Appeals) (29 September 2025) (Ruling)

Neutral citation: [2025] KEHC 13490 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
APPEALS
CIVIL APPEAL E205 OF 2024
LP KASSAN, J
SEPTEMBER 29, 2025**

BETWEEN

KENYA ORIENT INSURANCE COMPANY LIMITED APPELLANT

AND

WILLIAM KOIBOS KIPTOO & ANOTHER RESPONDENT

RULING

1. This is an application for review dated the 23rd day of January 2025. The subject of review emanates from the Decision of the Deputy Registrar dated the 8th day of January 2025 dismissing the appeal. The brief facts are that on the 16th April 2025, Justice Ongeri ordered that the appeal be expedited within 90 days and directed that the matter be mentioned before the Deputy Registrar to confirm the filing of the appeal and in default of filing within the timelines, the appeal would be automatically be dismissed.
2. The Applicant herein failed to comply with Hon Justice Ongeri's timeline prompting the Deputy Registrar to dismiss the appeal. I have read the submissions and wish to note the following;
 1. The Deputy Registrar dismissed the appeal upon expiry of the set times lines. There was no extension of the timelines set by Justice Ongeri and so there is nothing to review. In other words, the Deputy Registrar did not have a choice to extend time of compliance and did what was expected of him.
 2. The review, if available to the Applicant herein ought to have been heard by the Deputy Registrar otherwise the right procedure that would have landed before me would have been an appeal.
 3. The onset of the above is that this application is un procedural and lacks merit. I dismiss it with costs.



4. Orders Accordingly.

DELIVERED, DATED AND SIGNED AT NAIROBI THIS 29TH DAY OF SEPTEMBER, 2025

L. P. KASSAN

JUDGE

In the presence of:

Nyabanje holding brief for Mutege for the Applicant

Kimathi for 1st and 2nd Respondents

Court Assistant – Carol.

Later

Nyabanje I pray for stay for 30 days for submissions

Court

Stay for 30 days granted

