



Mutula (Trading as Mama KJ) v Nairobi City County Government (Being the Natural & Presumptive Legal Successor of the Defunct City Council of Nairobi) (Judicial Review Miscellaneous Application 4 of 2019) [2025] KEHC 13402 (KLR) (Constitutional and Judicial Review) (29 September 2025) (Ruling)

Neutral citation: [2025] KEHC 13402 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CONSTITUTIONAL AND JUDICIAL REVIEW
JUDICIAL REVIEW MISCELLANEOUS APPLICATION 4 OF 2019
RE ABURILI, J
SEPTEMBER 29, 2025**

BETWEEN

FELICITY MUTETE MUTULA (TRADING AS MAMA KJ) APPLICANT

AND

NAIROBI CITY COUNTY GOVERNMENT (BEING THE NATURAL & PRESUMPTIVE LEGAL SUCCESSOR OF THE DEFUNCT CITY COUNCIL OF NAIROBI) RESPONDENT

RULING

1. I have perused this file and indeed, there is no evidence that the firm of Morara was on record necessitating change of advocates.
2. I have also confirmed that the application which is due for hearing today was served upon the Respondents in July 2024 and not 19/8/2025 and that even after a hearing notice was served on 19/8/2025, no response has been filed and no plausible reason is advanced to warrant this court grant more time to the Respondents to file a response to the application.
3. The decree which is before this court is more than 10 years and no effort has been made to settle the same. I find the request by Ms. Mogere for the Respondents to be unacceptable and devoid of substantive.
4. I decline to adjourn the hearing of the application dated 26/7/2024 and direct that the hearing proceeds. Ms. Mogere is granted leave to respond orally on any points of law that may be raised in the application.



5. I so order.

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

R.E. ABURILI

JUDGE

