



REPUBLIC OF KENYA



**Chepkirui v Kimeto (Civil Application E070 of 2024)
[2025] KECA 1798 (KLR) (31 October 2025) (Ruling)**

Neutral citation: [2025] KECA 1798 (KLR)

**REPUBLIC OF KENYA
IN THE COURT OF APPEAL AT NAKURU
CIVIL APPLICATION E070 OF 2024
MA WARSAME, JA
OCTOBER 31, 2025**

BETWEEN

VERA CHEPKIRUI APPLICANT

AND

RICHARD KIMETO RESPONDENT

RULING

1. This is an application by M/S Bett & Co. Advocates seeking leave to cease acting for the appellant herein.
2. The application is supported by an affidavit sworn by Kipkorir Kennedy stating that the firm has lost touch with the appellant since filing the notice of appeal on 20th May 2024, and despite attempts to communicate, they have received no response or further instructions on how to proceed.
3. An affidavit of service confirms that the application was served upon the appellant on 25th October 2024 at her residence in Yagamek village, Bomet, where she accepted service but declined to sign.
4. The application is not opposed.
5. Rule 23(2) of this Court's Rules empowers this Court to grant leave to an advocate to cease acting for a party. It provides as follows:

“An advocate who desires to cease acting for a party in a civil appeal or application, may apply by notice of motion before a single Judge for leave to so cease acting, and such advocate shall be deemed to have ceased to act for such party upon service on the party of a certified copy of the order of the judge.”
6. The grounds advanced in this application, namely, loss of contact with the client and absence of instructions to prosecute the appeal are, in my view, sufficient to warrant the grant of leave sought.



Accordingly, the application is allowed. M/S Bett & Co. Advocates are granted leave to cease acting for the appellant. I make no orders as to costs.

DATED AND DELIVERED AT NAKURU THIS 31ST DAY OF OCTOBER, 2025.

M. WARSAME

..... **JUDGE OF APPEAL**

I certify that this is a true copy of the original.

Signed

DEPUTY REGISTRAR

