



REPUBLIC OF KENYA



**KENYA LAW**  
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**Mbura & another v Langat (Civil Appeal E126 of 2022)  
[2025] KEHC 16082 (KLR) (27 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 16082 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
CIVIL APPEAL E126 OF 2022  
JM NANG'EA, J  
OCTOBER 27, 2025**

**BETWEEN**

**SIMON KAHINGA MBURA ..... 1<sup>ST</sup> APPELLANT**

**REAL INSURANCE COMPANY LIMITED ..... 2<sup>ND</sup> APPELLANT**

**AND**

**FRECI AH ANN LANGAT ..... RESPONDENT**

**RULING**

1. By Notice of Motion dated 21<sup>st</sup> February 2025, the Respondent seeks reliefs as hereunder:-
  1. Spent.
  2. That this Honourable Court be pleased to order for the release of the balance of the decretal sum of Kshs. 858,289/= to the advocates of the Respondents.
  3. That there has been fragrant and culpable delay on the part of the Appellants in prosecuting this matter.
  4. That costs of the Application be provided for.
2. The Application is supported by the Respondent's Advocate's affidavit evidence. In a nutshell, the Respondent contends that the Appeal has not been prosecuted since the Memorandum of Appeal dated 30/8/2022 was filed.
3. There is evidence of service of the Application upon the Appellants but no reply has been made. The Application is therefore deemed as unopposed. Indeed the Appeal has been pending for long and there seems to be no interest to prosecute it.
4. Accordingly, the Application is allowed as per prayer 2 with costs to the Respondent.



**RULING DELIVERED VIRTUALLY AT NAKURU THIS 27<sup>TH</sup> DAY OCTOBER, 2025.**

**J. M. NANG'EA, JUDGE.**

In the presence of:-

Mr. Imbwaga Advocate for the Applicant

Respondent, Absent

