



**Vito Auto Spares v Karimi (as the administrators of the Estate of Simeon Mueke Maingi (Deceased) & 2 others (Civil Appeal (Application) 87 of 2020) [2022] KECA 1256 (KLR) (7 November 2022) (Ruling)**

Neutral citation: [2022] KECA 1256 (KLR)

**REPUBLIC OF KENYA  
IN THE COURT OF APPEAL AT NAIROBI  
CIVIL APPEAL (APPLICATION) 87 OF 2020  
LK KIMARU, JA  
NOVEMBER 7, 2022**

**BETWEEN**

**VITO AUTO SPARES ..... APPELLANT**

**AND**

**MUEKE & REGINA KAMENE KARIMI (AS THE ADMINISTRATORS OF THE ESTATE OF SIMEON MUEKE MAINGI (DECEASED) ..... 1<sup>ST</sup> RESPONDENT**

**SEBETHI KANUNGUI MULWA, WILLY MUTISYA MULWA & SIMON MAKAU MULWA (AS THE ADMINISTRATORS OF THE ESTATE OF STEPHEN MULWA ILIVI (DECEASED) ..... 2<sup>ND</sup> RESPONDENT**

**LAND REGISTRAR, MACHAKOS DISTRICT ..... 3<sup>RD</sup> RESPONDENT**

*(Being an appeal from the ruling and order of the Environment and Land Court (O. A. Angote, J.) dated 27th January, 2017 in Machakos ELC Case No. 301 of 2009)*

**RULING**

1. Alice Jonathan Gulenywa, practicing in the firm of Gulenywa Jonathan & Co Advocates has filed a notice of motion pursuant to rule 23(2) of the [Court of Appeal Rules](#), 2022 seeking the leave of this court to be allowed to cease acting for the appellant in this appeal.
2. The advocate asserts that the client-advocate relationship between herself and her client had deteriorated to the extent that it was no longer tenable for her to represent the appellant in this appeal. The application is supported by the annexed affidavit of the advocate and the grounds stated on the face of the application.
3. The application is unopposed. In the premises therefore, the firm of Gulenywa Jonathan & Co Advocates are hereby granted leave to cease acting for the appellant. Henceforth, the appellant shall



be served in person unless they appoint another advocate to act on their behalf in this appeal. There shall be no orders as to costs.

**DATED AND DELIVERED AT NAIROBI THIS 7<sup>TH</sup> DAY OF NOVEMBER, 2022.**

**L KIMARU**

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**JUDGE OF APPEAL**

*I certify that this is a True copy of the original*

*Signed*

**DEPUTY REGISTRAR**

