



IN THE COURT OF APPEAL

AT NAIROBI

CORAM: SICHALE, JA (IN CHAMBERS)

CIVIL APPEAL (APPLICATION) NO. 88 OF 2000

BETWEEN

MANCHESTER OUTFITTERS SUITING DIVISION LIMITED

(NOW CALLED) KING WOOLLEN MILLS LIMITED....1ST APPELLANT

GALOT INDUSTRIES LIMITED.....2ND APPELLANT

AND

STANDARD CHARTERED FINANCIAL

SERVICES LIMITED.....1ST RESPONDENT

A.D. GREGORY AND C.D. CAHILL.....2ND RESPONDENT

(Being an appeal from the judgment of the High Court of Kenya at Nairobi (E.M. Githinji,J) dated 30th July, 1999

in HCCC NO. 5002 OF 1990)

RULING

The motion dated **8th February, 2021** came up for hearing before me on **22nd March, 2021**. In the motion, the applicant, the firm of **Amolo & Gacoka** Advocates applied for an order to cease acting for **A.D Gregory**, the 2nd respondent herein.

The motion is supported by the affidavit of **James Gacoka Advocates** sworn on **8th February, 2021** and on the grounds on the face of the motion. Briefly, the applicant's position is that it was initially acting for the 1st and 2nd respondent; that in **November, 2020**, the 1st respondent appointed the firm of **Oraro & Co. Advocates** to act on its behalf; that the 2nd respondent was the managing partner of KPMG, an audit firm and who was the joint receiver appointed by the 1st respondent; that since the retirement of the 2nd respondent from practice, the said firm (KPMG) has had no contact with the applicant.

There was no replying affidavit filed by the 2nd respondent who was served with a hearing notice by advertisement in the Standard Newspaper of **12th March, 2021**.

In view of the above, I think it is only fair that the firm of **Amolo & Gacoka Advocates** should be granted leave to cease acting for the 2nd respondent.

Accordingly, the motion dated **8th February, 2021** is hereby allowed. I make no order as to costs.

Dated and Delivered at Nairobi this 21st Day of May, 2021.

F. SICHALE

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JUDGE OF APPEAL

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

Signed

DEPUTY REGISTRAR