



IN THE COURT OF APPEAL

AT NAIROBI

CORAM: KARANJA, JA. (IN CHAMBERS)

CIVIL APPEAL (APPLICATION) NO. 260 OF 2017

BETWEEN

THE COUNTY GOVERNMENT OF MIGORI.....APPELLANT

AND

INB MANAGEMENT & ICT CONSULTING LIMITED.....RESPONDENT

*(An application to cease acting in an appeal from the decision of the High Court of Kenya at Nairobi (G. V. Odunga, J.) dated 24th November, 2016)*

*in*

*HC JR Application No. 77 of 2016)*

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**RULING**

This Notice of Motion is brought by the firm of M/s Okong’o, Wandago & Co. Advocates, under **Rule 23(2), 42 and 43(1)** of the Court of Appeal Rules.

The said firm has been representing The County Government of Migori (Appellant) in **Civil Appeal No. 260 of 2017**, and also represented it in Nairobi **High Court Judicial Review Application No. 77 of 2016** which gave rise to this Appeal.

According to Mr. Okong’o Kennedy, learned counsel for the applicant,

The County Government of Migori has failed and/or neglected to settle the Bill of Costs presented to it by the applicant herein thus making it difficult for the applicant to continue representing it in this appeal. The appellant has also failed to arrange for alternative representation and this has left the applicant in a predicament as legally it is still bound to represent the appellant in the appeal.

Although the application was served on the appellant, there has been no response and the application is in the circumstances unopposed. In absence of any opposition from the appellant, and given the circumstances outlined by the applicant herein, it will not be tenable for the applicant to continue being on record for the appellant.

Accordingly, this application is allowed. The firm of M/s Okong’o, Wandago & Co. Advocates are hereby allowed cease acting for the appellant. Any correspondence including hearing notices and other court process be served directly on the appellant.

**Dated and delivered at Nairobi this 18th day of December, 2020.**

**W. KARANJA**

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**JUDGE OF APPEAL**

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

*Signed*

**DEPUTY REGISTRAR**