



**Mugambi & another v Muthia (Civil Appeal E329 of 2021)
[2024] KEHC 6160 (KLR) (Civ) (31 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 6160 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CIVIL
CIVIL APPEAL E329 OF 2021
WM MUSYOKA, J
MAY 31, 2024**

BETWEEN

JOSEPH KIIRU MUGAMBI 1ST APPELLANT

KYALO MULIWA 2ND APPELLANT

AND

FAITH WAYUA MUTHIA RESPONDENT

*(An appeal arising from the judgment of Hon. P. Muboli, Principle Magistrate,
PM, delivered on 26th May 2021, in Nairobi CMCCC No. 8434 of 2018)*

RULING

1. I am unable to prepare the judgment herein, as the original trial court records have not been availed, and the record of appeal filed herein is incomplete, for it has no proceedings nor the judgment appealed against.
2. Let the original trial court records be availed, and a complete record of appeal be filed.
3. Once compliance has been obtained, in terms of paragraph 2, above, the appeal file may be returned to me for completion of writing the judgment.

**DELIVERED BY EMAIL, DATED AND SIGNED IN CHAMBERS, AT BUSIA, THIS 31ST DAY OF
MAY 2024**

W MUSYOKA

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JUDGE



I certify that this is a true copy of the original

Signed

DEPUTY REGISTRAR

Ms. Veronica, Court Assistant, Milimani, Nairobi.

Mr. Arthur Etyang, Court Assistant, Busia.

Advocates

Ms. Nanjala, instructed by Kimondo Gachoka & Company, Advocates for the appellants.

Ms. Kisiangani, instructed by Waiganjo Wachira & Company, Advocates for the respondent.

