



**Autoports Nairobi Freight Terminal Limited & another v Cabinet Secretary,
Ministry of Roads & Transport & 3 others (Commercial Petition E002 of 2023)
[2023] KEHC 26760 (KLR) (Commercial and Tax) (21 December 2023) (Ruling)**

Neutral citation: [2023] KEHC 26760 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI COMMERCIAL COURTS)
COMMERCIAL AND TAX
COMMERCIAL PETITION E002 OF 2023
A MABEYA, J
DECEMBER 21, 2023**

BETWEEN

AUTOPORTS NAIROBI FREIGHT TERMINAL LIMITED 1ST PETITIONER

COMPACT FREIGHT SYSTEM LIMITED 2ND PETITIONER

AND

**CABINET SECRETARY, MINISTRY OF ROADS & TRANSPORT 1ST
RESPONDENT**

**CABINET SECRETARY, MINISTRY OF INDUSTRIALIZATION, TRADE AND
ENTERPRISE DEVELOPMENT 2ND RESPONDENT**

THE ATTORNEY GENERAL 3RD RESPONDENT

KENYA PORTS AUTHORITY 4TH RESPONDENT

RULING

1. I have considered the directions made by Hon. Kizito J on 13/12/2023 in 3 matters; E 031/2023, E 021/2023 and E 079/2023.
2. The Judge sent the files to this Court to make determination on the place of hearing and the state of the orders. The Judge did not make any directions on the supposed existing orders in the three matters.
3. It is alleged that there seem to be conflicting orders in force. Since the good judge made no orders on the matters before him, I also refrain to make any until the issues are properly ventilated before me.
4. Since the matters seem to have been lodged under a Certificate of Urgency and which Certificates have not been cancelled, I direct as follows: -



1. All the applications in this matter that have not been responded to be responded to within 14 days. The excluded days are hereby suspended.
 2. The parties do file and serve submissions within 14 days by the applicants and 14 days by the respondents.
 3. All applications pending in Mombasa (MSA) E 031/2023 (058/2023), E 021/2023 (059/2023) and E 079/2023 (060/2023) be responded to, if not yet within 14 days.
 4. Submissions be exchanged within 14 days each.
 5. Time is of the essence.
 6. Highlighting on 6th, 7th, 8th and 9th of February, 2024 commencing 1 pm each day.
 7. The directions and mention dates earlier given are hereby vacated.
5. Orders accordingly.

DATED AND DELIVERED AT NAIROBI THIS 21ST DAY OF DECEMBER, 2023.

A. MABEYA, FCI ARB, EBS

JUDGE

