



**Mwaura v Republic (Petition E001 of 2023)  
[2023] KEHC 27037 (KLR) (19 December 2023) (Ruling)**

Neutral citation: [2023] KEHC 27037 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIBERA  
PETITION E001 OF 2023  
DR KAVEDZA, J  
DECEMBER 19, 2023**

**BETWEEN**

**SAMWEL NJENGA MWAURA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The Petitioner Samwel Njenga Mwaura filed a notice of motion dated 19<sup>th</sup> December 2023, under certificate of urgency. The applicant is seeking conservatory orders restraining the respondent from proceeding with JKIA Chief Magistrate’s Court Criminal Case no. E003 of 2023 Having considered the application, I hereby make the following orders:
  - i. The application is not certified urgent.
  - ii. The Deputy Registrar is directed to avail the lower court file Untyped within 60 days from the date hereof.
  - iii. The applicant is directed to serve their respondent with the application and order of this court within 7 days from the date hereof.
  - iv. Upon service, the respondent is directed to file a response within 14 days.
  - v. The matter shall be mentioned on 14<sup>th</sup> March 2024 for directions.

Notices shall issue accordingly.

**RULING DATED AND DELIVERED THIS 19<sup>TH</sup> DAY OF DECEMBER, 2023**

**D. KAVEDZA**

**JUDGE**

