



Republic v County Secretary County Government of Kisumu & 2 others (Judicial Review 9 of 2021) [2022] KEHC 14219 (KLR) (21 October 2022) (Ruling)

Neutral citation: [2022] KEHC 14219 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
JUDICIAL REVIEW 9 OF 2021**

RE ABURILI, J

OCTOBER 21, 2022

IN THE MATTER OF AN APPLICATION BY OTIENO, RAGOT & CO ADVOCATES

AND

**IN THE MATTER OF AN APPLICATION FOR JUDICIAL
REVIEW BY WAY OF MANDAMUS PURSUANT TO LEAVE
GRANTED IN KISUMU HC MISC APPLICATION NO 124 OF 2021**

AND

**IN THE MATTER OF SECTIONS 2, 103, 147 & 148 OF
THE PUBLIC FINANCE MANAGEMENT ACT, 2012**

AND

IN THE MATTER OF SECTION 44 & 45 OF THE COUNTY GOVERNMENTS ACT, 2012

AND

**IN THE MATTER OF GOVERNMENT
PROCEEDINGS ACT, CHAPTER 40, LAWS OF KENYA**

AND

IN THE MATTER OF ARTICLES 10, 23 & 41 OF THE CONSTITUTION OF KENYA

BETWEEN

REPUBLIC APPELLANT

AND

**COUNTY SECRETARY COUNTY GOVERNMENT OF KISUMU 1ST
RESPONDENT**

**COUNTY EXECUTIVE MEMBER FOR FINANCE COUNTY GOVERNMENT
OF KISUMU 2ND RESPONDENT**



RULING

1. I have considered the application as argued by Mr Okoth, advocate. I observe that there is no leave granted or order for leave attached to the affidavit in support of the application for *mandamus*.
2. The application for *mandamus* is found to be incompetent and premature. It is hereby struck out and this file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 21ST DAY OF SEPTEMBER 2022

R E ABURILI

JUDGE

