



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAIROBI**

**JUDICIAL REVIEW MISC APPLICATION NO. E055 OF 2020**

**IN THE MATTER OF AN APPLICATION FOR LEAVE FOR**

**JUDICIAL REVIEW ORDERS OF MANDAMUS**

**BETWEEN**

**REV. SIMON NDUNGU MUNGAI.....1<sup>ST</sup> APPLICANT**

**PASTOR VINCENT MUNGAI NDUNGU.....2<sup>ND</sup> APPLICANT**

**TRADING AS OVERCOMERS CHRISTIAN MISSIONS & LIVELINK COMMUNICATIONS**

**VERSUS**

**COUNTY GOVERNMENT OF KIAMBU.....1<sup>ST</sup> RESPONDENT**

**COUNTY FINANCE OFFICER KIAMBU COUNTY GOVERNMENT.....2<sup>ND</sup> RESPONDENT**

**COUNTY SECRETARY KIAMBU COUNTY GOVERNMENT.....3<sup>RD</sup> RESPONDENT**

**RULING NO 2**

1. On 2<sup>nd</sup> November 2020, this Court granted Rev. Simon Ndungu Mungai and Pastor Vincent Ndungu Mungai, the Applicants herein, leave to apply for an order of mandamus directed to the County Finance Officer Kiambu County Government and County Secretary Kiambu County Government, to compel them to honor the decree dated 31st January 2011 by paying the decretal amount and interests as per Certificate of order dated 27th July 2020 amounting to Ksh 4,460.292.

2. The said Applicants were also directed to file and serve their substantive Notice of Motion and submissions thereon within twenty-one (21) days. Upon perusal of the Court record, I note that there has been no compliance on the part of the Applicants. In effect, the outcome of the non-compliance is that there is no pending matter in this suit for determination by the Court.

3. In the premises I direct and order as follows:

**I. This suit is dismissed for non-prosecution and this file is hereby marked as closed.**

**II. The Deputy Registrar of the Judicial Review Division shall send a copy of this ruling to the Applicants by electronic mail by close of business on Thursday, 21<sup>st</sup> January 2021.**

4. Orders accordingly.

**DATED AND SIGNED AT NAIROBI THIS 20<sup>TH</sup> DAY OF JANUARY 2021**

**P. NYAMWEYA**

**JUDGE**