



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAKURU**

**JUDICIAL REVIEW NO.9 OF 2019**

**FLADOS TOURS CO.LTD.....APPLICANT**

**-VERSUS-**

**ATTORNEY GENERAL.....1<sup>ST</sup> RESPONDENT**

**THE NATIONAL POLICE SERVICE.....2<sup>ND</sup> RESPONDENT**

**O.C.P.D. NAKURU.....3<sup>RD</sup> RESPONDENT**

**O.C.P.D. MOLO.....4<sup>th</sup> RESPONDENT**

**O.C.P.D. MAU SUMMIT.....5<sup>th</sup> RESPONDENT**

**O.C.P.D. KERICHO.....6<sup>th</sup> RESPONDENT**

**RULING**

1. This is a ruling on Notice to Show Cause issued by the court to the petitioner for failing to attend court on 19<sup>th</sup> November 2019.
2. Following issuance of Notice to Show Cause why this suit should not be dismissed for non-attendance; the Petitioner filed application dated 15<sup>th</sup> December 2019 seeking to reinstate interim order and explained by supporting affidavit why this suit should not be dismissed.
3. In the supporting affidavit, counsel for the Petitioner averred that on 19<sup>th</sup> November 2019, he was handling murder case number HCCR 29 of 2019 before High Court 3 and by the time he went to attend to this matter, he found it have been mentioned and Notice to Show Cause issued.
4. Counsel aver that they have been tirelessly attending court and have been serving the Respondents with notices. He added that the judicial review application has merit and it would be fair to have it heard and determined to its logical conclusion.

**ANALYSIS AND DETERMINATION**

5. I have considered averments by Petitioner’s Advocate, I have also perused the court file and note that the Petitioner’s Advocate has been attending court save for 19<sup>th</sup> November 2019. I am satisfied with the reason for failure attend court on that day.

**FINAL ORDERS**

1. Notice to show cause is hereby discharged.
2. Petition to be fixed for hearing within 30 days from today’s date.

**Ruling dated, signed and delivered at Nakuru this 27<sup>th</sup> day of February, 2020**

.....

**RACHEL NGETICH**

**JUDGE**

**IN THE PRESENCE OF:**

Jeniffer/Schola – Court Assistant

Mr. Weche Counsel for the Applicant

Ms. Obura holding brief for Ms. Odhiambo Counsel for the Respondents