

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

MISC. CRIMINAL APPLICATION NO. 32 OF 2020

DESH GENERAL TRADERS LTD.....APPLICANT

VERSUS

COUNTY SECRETARY, COUNTY GOVERNMENT OF SIAYA.....1ST RESPONDENT

COUNTY GOVERNMENT OF SIAYA.....2ND RESPONDENT

RULING

1. I have considered the application by the applicant under Certificate of Urgency. I certify it urgent as the time for execution of decree is about to lapse.
2. On the main application, I note that Decree is dated 8/6/2008. The same is to lapse after 12 years. I have considered the application for leave to institute Judicial Review proceedings for **Mandamus**. There has been delay in bringing those proceedings.
3. Nonetheless, as decree is still executable, I grant leave to file Judicial Review orders of **Mandamus** against the Respondents. The main motion shall be filed and served within 7 days of today.
4. Mention on 2/6/2020 to confirm compliance.
5. Orders accordingly.

Dated, signed and delivered at Siaya, this 22nd Day of May 2020.

R.E. ABURILI

JUDGE