



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT KITALE**

**JUDICIAL REVIEW APPLICATION NO. 2 OF 2020**

**WABROS CONTRACTORS LIMITED.....APPLICANT**

**VERSES**

**THE COUNTY GOVERNMENT OF TRANS-NZOIA....RESPONDENT**

**JUDGEMENT**

1. In its Notice of Motion dated **21<sup>st</sup> February 2020** ,the Applicant after obtaining the leave of this court has thereafter filed the above application praying that “ **an order of mandamus directed at the County Secretary , the Chief Officer public works and the CECM finance, County Government of Trans-Nzoia to compel the said County Secretary , the Chief Officer Public Works and the CECM Finance, County Government of Trans-Nzoia to pay the Applicant herein the sum of Kshs. 1,011, 886 being the decretal amount accrued interest and the costs of the suit as at 7<sup>th</sup> July 2019 as per the decree issued by the court in Kitale CMCC No. 228 of 2017 Wabros Contractors Limited Vs. The County Government of Trans-Nzoia.**”

2. The Applicant prayed for the costs of the application.

3. The application is supported by the sworn affidavit of one **STEPHEN WABUKE**, the managing director of the company. He has attached the decree of the lower court case as well as the plaint and other supporting documents.

4. The application was not opposed. It is evident from the attached decree that the respondent owes the applicant the sum stated in the decree. Despite being served the Respondent choose not to respond.

5. This court finds merit in the application especially the fact that the lower court’s judgement and decree has been ignored by the Respondent.

6. The application is hereby allowed as prayed with costs to the applicant,

**Dated, Signed and Delivered at Kitale this 28<sup>th</sup> day of October 2020.**

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**H. K. CHEMITEI**

**JUDGE**

**28/10/2020**