

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

KISUMU ELECTION PETITION NO. 2 OF 2017

(CORAM: R. E. ABURILI - J.)

GRACE ADHIAMBO AKUMU.....APPLICANT/PETITIONER

VERSUS

INDEPENDENT ELECTORAL BOUNDARIES COMMISSION

(IEBC).....1ST RESPONDENT

JOHN COX LORIONOKOU

(Returning Officer Kisumu County).....2ND RESPONDENT

ROSA AKINYI BUYU.....3RD RESPONDENT

RULING

I have considered the applicant's application under Certificate of Urgency. I grant leave for consideration during the recess.

On whether the application is urgent, I note that the applicant is simply seeking to execute an order for payment of costs of the petition as taxed by consent of the parties. In my view, that cannot form the basis of urgency. I decline to certify the matter as urgent and direct the applicant to serve the Respondents with the application dated 13/8/2018 for *interpartes* consideration before the Judge in the ordinary course of business at Kisumu High Court on 19th September, 2018.

Orders accordingly.

Dated, Signed and Delivered at SIAYA this 28th day of August 2018.

R.E. ABURILI

JUDGE