



**IN THE HIGH COURT AT NAIROBI**

**MILIMANI LAW COURTS**

**CONSTITUTIONAL AND HUMAN RIGHTS DIVISION**

**PETITION NO. 568 OF 2012**

**BETWEEN**

**RICHARD WERE ..... 1<sup>ST</sup> PETITIONER**  
**SILPHIA OKEYO ..... 2<sup>ND</sup> PETITIONER**  
**BENTA AKOTH OLWENY ..... 3<sup>RD</sup> PETITIONER**  
**MARGARET KWAMBOKA OGEKA ..... 4<sup>TH</sup> PETITIONER**  
**PATRICK MWANIKI ..... 5<sup>TH</sup> PETITIONER**  
**MARY NJOKI ..... 6<sup>TH</sup> PETITIONER**  
**LYDIA WANJIKU ..... 7<sup>TH</sup> PETITIONER**  
**JANE M. NYAGA ..... 8<sup>TH</sup> PETITIONER**  
**ANASTASIA MUNEE ..... 9<sup>TH</sup> PETITIONER**  
**LEONARD G. MUNGAI ..... 10<sup>TH</sup> PETITIONER**  
**EDWARD BUSURU ..... 11<sup>TH</sup> PETITIONER**  
**PETER NDIKU ..... 12<sup>TH</sup> PETITIONER**

**AND**

**PERMANENT SECRETARY**

**MINISTRY OF HEALTH ..... 1<sup>ST</sup> RESPONDENT**

**PERMANENT SECRETARY**

**MINISTRY OF MEDICAL SERVICES ..... 2<sup>ND</sup> RESPONDENT**

**PERMANENT SECRETARY**

**MINISTRY OF HOUSING ..... 3<sup>RD</sup> RESPONDENT**

**THE ATTORNEY GENERAL ..... 4<sup>TH</sup> RESPONDENT**

**RULING NO. 4**

1. On 11<sup>th</sup> February 2014, I gave the petitioners until 30<sup>th</sup> March 2014 to vacate the houses at Mathari Hospital. Today is 31<sup>st</sup> March 2014 and the petitioners are yet to vacate the houses. Their application for review was dismissed on 26<sup>th</sup> March 2014 and there is no stay in the matter.
2. In the circumstances the respondents shall be at liberty to evict the petitioners from the staff houses at Mathari Hospital. However, each of the petitioners shall be given a 7 day written notice to vacate the house voluntarily. In default the respondents may proceed accordingly.

**DATED and DELIVERED at NAIROBI this 31<sup>st</sup> day of March 2014**

**D.S. MAJANJA**

**JUDGE**