

REPUBLIC OF KENYA

IN THE HIGH COURT AT NAIROBI

MILIMANI LAW COURTS

Miscellaneous Application 174 of 2011

**IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW FOR ORDERS OF
MANDAMUS**

AND

IN THE MATTER OF GOVERNMENT PROCEEDINGS ACT

AND

IN THE MATTER OF THE PERMANENT SECRETARY OFFICE OF THE PRESIDENT

**REPUBLIC.....APPLICA
NT**

VERSUS

**THE PERMANENT SECRETARY1ST RESPONDENT OFFICE OF THE
PRESIDENT**

**THE ATTORNEY GENERAL2ND
RESPONDENT**

VERSUS

EX-PARTE

SERRACO

LIMITEDAPPLICANT

ORDER

When preparing to write the judgement in this case, I went through the written submissions of the parties herein. I learned through the submissions of the respondent that the respondent had moved to court in H.C.C.C. No. 401 of 2007 with a view to setting aside the judgment in that case. I also learned that the application for setting aside the said judgment was coming up for hearing on 16th November, 2011. I have since learned from the relevant registry that the application was indeed argued on 16th November, 2011 and the ruling is set to be delivered on 10th February, 2012 by Waweru, J. In my view the awaited ruling will impact on the case before me. As such I direct that the judgment in this case awaits the decision of Waweru, J. This file is therefore returned to the registry. The same to be mentioned on 16th February, 2012 for setting a date for judgement or for further orders depending on the outcome of the application in H.C.C.C. no. 401 of 2007.

Dated and signed at Nairobi this 25th day of January, 2012

W. K. KORIR
JUDGE