



REPUBLIC OF KENYA

IN THE HIGH COURT

AT BUNGOMA

CIVIL SUIT NO.72 OF 2011

ELIUD MAELO WAFULA.....PLAINTIFF

VS

THE MINISTER OF

AGRICULTURE.....
.....1ST DEFENDANT

THE PERMANENT SECRETARY

MINISTRY OF
AGRICULTURE.....2
ND DEFENDANT

THE DIRECTOR OF

AGRICULTURE.....
.....3RD DEFENDANT

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It is quite clear to this court that the order that is sought to be stayed was a negative one. There was nothing that was ordered to be done or not to be done that could be the subject of any stay. The application is to that extend misconceived (**Kileleshwa Service Station Ltd v Kenya Shell Ltd [2008] KLR 55**). It is dismissed with costs.

Dated and delivered at Bungoma this 21st day of March, 2012.

A. O. MUCHELULE

JUDGE