



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT EMBU**  
**JUDICIAL REVIEW 61 OF 2011**

**REPUBLIC.....APPLICANT**

**VERSUS**

**THE PERMANENT SECRETARY MINISTRY OF  
STATE FOR PROVINCIAL ADMINISTRATION**

**AND INTERNAL SECURITY.....1<sup>ST</sup> RESPONDENT**

**THE COMMISSIONER OF POLICE.....2<sup>ND</sup> RESPONDENT**

**THE PROVINCIAL COMMISSIONER**

**EASTERN PROVINCE.....3<sup>RD</sup> RESPONDENT**

**THE PROVINCIAL COMMISSIONER**

**CENTRAL PROVINCE.....4<sup>TH</sup> RESPONDENT**

**AND**

**ROSE WANGARI KINYUA  
DAVID MUNENE KINYUA (JNR)  
DAVID MUNENE KINYUA**

**Trading as ROSKIN AGENCIES.....EXPARTE APPLICANTS**

**RULING**

By consent the parties agreed that leave be granted to the Applicant to file for Judicial Review. The Applicant desired that the leave operates as stay. So far its only Applicant who has stated its case on the issue of stay. The Respondent is asking for more time to file a Replying Affidavit.

This being a matter that I take to be of public interest I would wish to do a comprehensive Ruling after getting the input of both counsels.

Order 53 Rule 1(4) of the Civil Procedure Rules gives room for the issue of stay to be heard separately within 7 days. I therefore grant leave for the Respondents to file a Replying Affidavit with

corresponding leave to the Applicant to file a further affidavit.

Time is of essence and both counsels are called upon to comply.

Inter partes hearing on 19/10/2011.

**DATED, SIGNED AND DELIVERED IN OPEN COURT AT EMBU THIS 12<sup>TH</sup> DAY OF  
OCTOBER 2011.**

**H.I. ONG'UDI  
JUDGE**

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