



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA
AT ELDORET

Miscellaneous Civil Application 1 of 2010

REPUBLIC APPLICANT

VERSUS

MUNICIPAL COUNCIL OF ELDORET RESPONDENT

AND

JOHN KIPKOSGEI KIRUI

& 22 OTHERS EX PARTE APPLICANTS

RULING

The application before me is brought under Section 8 and 9 of the Law Reform Act and order LIII Rules 12 and 3 of the Civil Procedure Rules seeking orders that the applicant be granted leave to apply for orders of judicial review. The application is grounded upon the matters set out in supporting affidavit. Statutory statement and the annexed verifying affidavit of John Kipkosgei Kirui together with the Notice to the Registrar.

Having considered the application the supporting affidavit, the statutory statement, the verifying affidavit and the submissions by Counsel I am persuaded that this application is meritorious and the same is allowed in terms of prayers (i), (ii) and (iii). The applicant to file substantive application within twenty one (21) days from the date of the ruling.

Orders accordingly.

DELIVERED AND DATED AT ELDORET THIS 10TH DAY OF FEBRUARY, 2010.

J. L. A. OSIEMO
JUDGE