

improper for execution to continue if indeed orders of stay were issued once leave to institute judicial review proceedings was granted. That is the whole import of Rule 25 which I have reproduced above; to stay execution until another suit is concluded. If stay was in fact granted earlier, there is no harm if stay is granted now while this court investigates the other suit.

5. I see merit in the Application and I will grant stay as prayed and in the meantime I will immediately ask the Deputy Registrar of this court to let me know the status of **H.C. Misc 248/1999** for me to give directions/orders in due course.

6. Costs shall be in the cause.

7. Orders accordingly.

Dated and delivered at Machakos this **14th** day of **October 2008**.

Isaac Lenaola

Judge

In the presence of: Mr. Mutinda h/b for Mr. Musyoki for Applicant

Isaac Lenaola

Judge