

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA

AT BUNGOMA

REVISION 1 OF 2005 (1)

MALIK MOHAMMED KIPSANG.....APPLICANT

VS

REPUBLIC.....RESPONDENT

RULING ON REVISION

This matter was brought to my attention pursuant to the provisions of sections 362 and 364 (1) of the criminal procedure code. The issue at stake is that the Public Health Officer has obtained orders of eviction against 7 tenants occupying premises situated in L.R. No. BUNGOMA MUNICIPALITY/1368. via Bungoma S.P.M's Misc. Criminal Application No. 4 of 2005. In fact the tennants have been given notices to vacate.

I am yet to call for the file to be placed before me so that I may peruse and make a decision over it. That will obviously take time and the orders complained of may be executed before a decision is made. At this stage I direct that execution of the orders issued on 31.1.2005 be stayed pending the outcome of this Revision. In the same breath the Deputy Registrar is directed to place before me the original file No. Bungoma S.P.M. Misc Cr. Application No. 4 of 2005 for perusal and further orders.

DATED AND DELIVERED THIS 10th DAY OF February 2005

J.K. SERGON

JUDGE