



Narok East Sub-County Police Officers v Inspector General of Police & 2 others (Judicial Review Application E011 of 2025) [2025] KEHC 293 (KLR) (Judicial Review) (23 January 2025) (Ruling)

Neutral citation: [2025] KEHC 293 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
JUDICIAL REVIEW APPLICATION E011 OF 2025
RE ABURILI, J
JANUARY 23, 2025**

BETWEEN

NAROK EAST SUB-COUNTY POLICE OFFICERS APPLICANT

AND

THE INSPECTOR GENERAL OF POLICE 1ST RESPONDENT

THE NATIONAL POLICE SERVICE COMMISSION 2ND RESPONDENT

THE MINISTRY OF INTERIOR AND COORDINATION F NATIONAL GOVERNMENT 3RD RESPONDENT

RULING

1. The application dated 22/1/2025 seeks leave of court to apply for Judicial Review orders of mandamus certiorari and prohibition.
2. The ex parte applicant is challenging the decision of the Respondents to allegedly arbitrarily transfer several affected police officers serving in Narok East County from their respective stations to other stations outside the County.
3. The decision to transfer or deploy any labour force or Human Resource is an Employment and Labour Relations matter. That being the case, only the Employment and Labour Relations Court has the jurisdiction to hear and determine such disputes.
4. Article 165(5) (b) of the *Constitution* expressly bars the High Court from hearing and determining disputes which are exclusively reserved for the specialized courts established under Article 162(2) of the *Constitution* and the Supreme Court. These are the Employment and Labour Relations Court and the Environment and Land Court.



5. The Employment and Labour Relations Court enjoys exclusive original and appellate jurisdiction in matters Employment and Labour Relations and among the orders that the court may grant, as stipulated in Section 12 of the *Employment and Labour Relations Court Act* are, among others, prerogative orders. Certiorari, Mandamus and Prohibition are among the prerogative orders which the court has power to grant.
6. Therefore, for want of jurisdiction, I decline to consider the merits of the application dated 22/1/2025. I shall however not strike it out. I direct that this matter is hereby wholly transferred to the Employment and Labour Relations Court, Judicial Review Division, Nairobi for further directions, hearing and determination.
7. From the High Court, the file is closed. This Ruling to be typed and uploaded forthwith and a copy to accompany the original court file to be transferred. I so direct.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 23RD DAY OF JANUARY, 2025

R.E. ABURILI

JUDGE

