



**Accra Pharmacy Limited & another v Nairobi City County Government;
Attorney General (Interested Party) (Judicial Review Miscellaneous Application
E053 of 2025) [2025] KEHC 5747 (KLR) (Judicial Review) (9 May 2025) (Ruling)**

Neutral citation: [2025] KEHC 5747 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
JUDICIAL REVIEW MISCELLANEOUS APPLICATION E053 OF 2025**

RE ABURILI, J

MAY 9, 2025

BETWEEN

ACCRA PHARMACY LIMITED 1ST APPLICANT

ESTHER WAIRIMU NG'ANG'A T/A JOSTER MEDICAL

LABORATORY 2ND APPLICANT

AND

NAIROBI CITY COUNTY GOVERNMENT RESPONDENT

AND

THE HON ATTORNEY GENERAL INTERESTED PARTY

RULING

1. The chamber summons dated 6th May 2025 is not certified urgent for reasons that the certificate of order against the Government was issued on 14/11/2017 in Milimani HCC Misc 15/2016 and costs certified on 14/6/2017, nearly eight years ago.
2. Additionally, there is no evidence that the applicant has served the certificate of order Against the Government or the decision giving rise to the said certificate of order against the Government, upon the Respondent as mandated by Section 21 of the [Government Proceedings Act](#). There is no affidavit of service filed.
3. Secondly, there is no ground upon which the Attorney General who is the Principal Legal Advisor to the National Government is enjoined to these proceedings as an Interested Party yet that office was never a party to Misc 15/2016 whose citation is scanty.



4. Third, is that the certificate of order Against the Government only mentions judgment of the court dated 23/9/2016. There is no decree issued by the court on that judgment whose author is also not mentioned.
5. Again, the heading/citation in the certificate of Order Against the Government only says the High Court of Kenya at Nairobi, Misc Application No. 15/2016. There is no indication as to which division of the High Court was handling the matter, which Judge heard the matter and indeed rendered the judgment.
6. I find the application herein suspicious and not authentic. I reject the chamber summons dated 6/5/2025 and strike it out for being incompetent with no orders as to costs.
7. The applicant is at liberty to file a fresh application but only after getting the documentation from the parent file to be in order as stated in this Ruling.
8. This file is closed. Registry to notify the applicant.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 9TH DAY OF MAY, 2025

R.E. ABURILI

JUDGE

