



Lokose & another v State Law Office (Judicial Review Miscellaneous Application E129 of 2025) [2025] KEHC 6544 (KLR) (Judicial Review) (22 May 2025) (Ruling)

Neutral citation: [2025] KEHC 6544 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
JUDICIAL REVIEW MISCELLANEOUS APPLICATION E129 OF 2025
RE ABURILI, J
MAY 22, 2025**

BETWEEN

KUTURA MOLU LOKOSE 1ST APPLICANT

GALGALO LOKOSE TACHE 2ND APPLICANT

AND

STATE LAW OFFICE RESPONDENT

RULING

1. I have perused the application dated 20/5/2025 by way of chambers summons. The applicant seeks leave of court to apply for Judicial Review orders of mandamus to compel the Chief Registrar of the Judiciary to settle decree and certificate of order against the Government dated 10/10/2022 and judgment rendered on 28/3/2029.
2. I have perused the application and the accompanying documents. I am satisfied that the application meets the threshold of Section 21 of the [Government Proceedings Act](#).
3. There is judgment, decree, certificate of order against the Government and a demand for settlement all served upon the Attorney Generals' office on 13/6/2023.
4. As no execution can issue against the Government, as stipulated in Section 25 of the [Government Proceedings Act](#) and Order 29 of the [Civil Proceedings Rules](#), the only remedy available to the applicant decree holder in Milimani CMCC 1694/2015 is that of mandamus to compel the accounting officer of the Judiciary to perform the public duty under Section 21 of the [Government Proceedings Act](#) and the [Public Finance Management Act](#) to settle decree of the court.
5. Accordingly, as the decree issued vide judgment of 28/3/2019 is alive, I hereby grant leave to the applicant to apply for Judicial Review orders of mandamus.



6. The substantive motion to be filed and served in a separate file within 21 days of today in a separate court file, this being a Miscellaneous matter, and full court fees be paid.
7. I make no orders as to costs of this application for leave.
8. This file is closed.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 22ND DAY OF MAY, 2025

R.E. ABURILI

JUDGE

