



**Republic v Public Procurement Administrative Review Board; Tramex Mediquip Limited (Exparte); Chief Executive Officer, Kenya Medical Supplies Authority & 3 others (Interested Parties) (Judicial Review Application E161 of 2025) [2025] KEHC 8564 (KLR) (Judicial Review) (18 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 8564 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)  
JUDICIAL REVIEW  
JUDICIAL REVIEW APPLICATION E161 OF 2025**

**RE ABURILI, J  
JUNE 18, 2025**

**BETWEEN**

**REPUBLIC ..... APPLICANT**

**AND**

**PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD ..... RESPONDENT**

**AND**

**TRAMEX MEDIQUIP LIMITED ..... EXPARTE**

**AND**

**CHIEF EXECUTIVE OFFICER, KENYA MEDICAL SUPPLIES AUTHORITY ..... INTERESTED PARTY**

**KENYA MEDICAL SUPPLIES AUTHORITY ..... INTERESTED PARTY**

**SUKEN INTERNATIONAL LIMITED ..... INTERESTED PARTY**

**QUEST PHARMACEUTICALS LIMITED ..... INTERESTED PARTY**

**RULING**

1. The application by way of chamber summons dated 16<sup>th</sup> June 2025 and filed on 17/6/2025 seeks leave of court to apply for Judicial Review orders of certiorari, mandamus and prohibition against the decision of the Respondent Public Procurement Administrative Review Board rendered on



4/6/2025 in Application/Request for review No. 59/2025 dismissing the applicant's request for review concerning Tender No. KEMSA/GOK/MOH – 01T03/2024-2025.

2. I do not certify the application as urgent for reasons that the applicant has come to court on the 13<sup>th</sup> day, just before elapse of the 14 days for filing of the application and on the 14<sup>th</sup> day, the decision of the Public Procurement Review Board would take effect.
3. Nonetheless, I have considered the application and the supporting documents. The application is not frivolous on the face of it. It is arguable. I grant leave to the applicant to file and serve an application for Judicial Review orders as sought in the chamber summons dated 16/6/2025.
4. The main motion to be filed in a fresh file by close of business today and the Respondent and Interested Parties will have 3 days within which to file and serve their responses upon which the applicant will have three (3) days of date of service to file and serve a further affidavit together with written submissions.
5. Thereafter, the Respondent will have 3 days of date of service within which to file and serve a supplementary affidavit together with written submissions. The main motion will be mentioned before Justice Chigiti (SC) on 1/7/2025 to confirm compliance and to fix a judgment date, these being time bound proceedings.
6. In the meantime, the leave so granted shall operate as stay of further proceedings or actions in regard to the award of Tender No. KEMSA/GOK/MOH – 01T03/2024 - 2025 including any execution of contract with the 3<sup>rd</sup> and 4<sup>th</sup> Interested Parties, pending the hearing and determination of the substantive motion.
7. I make no orders as to costs.
8. This file is closed.

**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 18<sup>TH</sup> DAY OF JUNE, 2025**

**R.E. ABURILI**

**JUDGE**

