



Omweri & others v PS, Ministry of Lands and Housing & others (Judicial Review 22 of 2010) [2024] KEHC 5280 (KLR) (22 April 2024) (Ruling)

Neutral citation: [2024] KEHC 5280 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
JUDICIAL REVIEW 22 OF 2010
HM NYAGA, J
APRIL 22, 2024**

BETWEEN

HENRY OMWERI & OTHERS APPLICANT

AND

PS, MINISTRY OF LANDS AND HOUSING & OTHERS RESPONDENT

RULING

1. The Applicants sought orders that the Respondent be punished for contempt of court for failing to pay a sum of Kshs. 2,217,697/= as ordered by the court.
2. On 17th April, 2024, the Applicants appeared in court and stated that the Respondents have been served with the Notice to Show Cause (NTSC) dated 20th February 2024. through their advocate. The Applicants sought to have warrants of arrest issued against the Permanent Secretary, Lands and Housing, for failure to effect payment as ordered.
3. The Respondent, though served, did not appear.
4. I have considered the N.T.S.C. and the issues arising. There is no dispute that there is a pending judgment which has not been satisfied.
5. Further, there is no dispute that the Respondent has been aware of the orders of the court. There is no evidence of payment tendered by the Respondent.
6. Court orders are not mere words, written down or spoken. They are issued pursuant to a process and all persons and bodies have a duty to comply with them. It is unfortunate that the applicants have had to wait for over a decade to enjoy the fruits of their judgment.
7. There being no response from the Respondent, I find him guilty of contempt of court orders issued on 20th May 2011.



8. Consequently, I direct that the Respondent appears in this court on 24th June 2024 for purposes of sentencing.
9. These orders are to be extracted and served upon the Respondent forthwith.

DATED AND DELIVERED AT NAKURU THIS 22ND DAY OF APRIL, 2024.

**H. M. NYAGA,
JUDGE.**

Nakuru H.C. Judicial Review 22 of 2010 Page **1** of **1**

