



**Siaka v County Government of Kakamega & 2 others (Judicial Review 4 of 2020) [2024] KEHC 8392 (KLR) (3 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 8392 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KAKAMEGA  
JUDICIAL REVIEW 4 OF 2020**

**AC BETT, J**

**JULY 3, 2024**

**BETWEEN**

**ISAAC FULA SIAKA ..... APPLICANT**

**AND**

**THE COUNTY GOVERNMENT OF KAKAMEGA ..... 1<sup>ST</sup> RESPONDENT**

**THE COUNTY DIRECTOR OF SURVEY KAKAMEGA ..... 2<sup>ND</sup> RESPONDENT**

**THE KENYA RURAL ROADS AUTHORITY ..... 3<sup>RD</sup> RESPONDENT**

**RULING**

1. I have perused the application dated 19/1/2024. The Applicant seeks orders to set aside the order issued on 14/12/2023 dismissing the suit for want of prosecution.
2. The Applicant's Counsel Mr. Umundi Bw'onchiri avers that he tried to join virtual court on the day of the hearing but his efforts were in vain due to poor network. I am satisfied that the Respondents were duly served with the application and with Hearing Notice for today.
3. I hereby allow the application as prayed. Notice of Motion dated 5/2/2020 is hereby reinstated. The Notice of Motion dated 5/2/2020 is hereby fixed for hearing on 23/9/2024. The Applicant is granted thirty (30) days to file and serve written Submissions upon the Respondent's Advocates who shall have thirty (30) days to file their written Submissions. This is an old matter; we expect that it shall proceed on that day.
4. Applicant to serve the Respondent with today's Orders.

**DATED, SIGNED AND DELIVERED AT KAKAMEGA THIS 3<sup>RD</sup> DAY OF JULY, 2024.**

**A. C. BETT**

**JUDGE**



In the presence of:

Ms. Wanyama for the Applicant

No appearance for the Respondent

Court Assistant: Polycap

