



Kiambu Community Water Projects Association v Ministry of Water, Sanitation and Irrigation & 2 others; County Government of Kiambu (Interested Party) (Petition E013 of 2023) [2024] KEHC 12863 (KLR) (4 October 2024) (Ruling)

Neutral citation: [2024] KEHC 12863 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
PETITION E013 OF 2023
DO CHEPKWONY, J
OCTOBER 4, 2024**

BETWEEN

KIAMBU COMMUNITY WATER PROJECTS ASSOCIATION PETITIONER

AND

MINISTRY OF WATER, SANITATION AND IRRIGATION .. 1ST RESPONDENT

THE ATTORNEY GENERAL 2ND RESPONDENT

WATER RESOURCES AUTHORITY 3RD RESPONDENT

AND

COUNTY GOVERNMENT OF KIAMBU INTERESTED PARTY

RULING

1. This matter was slated for delivery of Ruling for the Notice of Motion application dated 13th March, 2023. However the court notes that there is another application which was filed on 16th September, 2024 which is seeking the following orders:
 - a. Spent.
 - b. That this Honourable Court be pleased to stay the proceedings herein pending the hearing and determination of this application.
 - c. Pending the interpartes hearing and determination of this Application, this Honourable Court be pleased to order the 3rd Respondent to forthwith return all the borehole water supply disconnected from the borehole owned and operated by the estate of the Late John Muuti Karomo situated in Kiambaa Ruaka 6837.



- d. This Honourable Court be pleased to cite the 3rd Respondent's Chief Executive Officer for contempt of court for his disobedience of the Orders of this Honourable Court issued on 13th March, 2023 and have him committed to civil jail for a term of six months and/or orders him to purge the contempt of court on terms this court will deem just.
 - e. Costs of this application be borne by the Respondents.
2. Looking at the contents of the orders being sought in the application dated September 16, 2024 it would be prudent for the court to address the same first before delving into the merits of the application dated March 13, 2024. Given that the said application is slated for interpartes hearing on October 4, 2024, further directions to issue on the application dated September 16, 2024 then.

It is so ordered.

RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 4TH DAY OF OCTOBER, 2024.

D. O. CHEPKWONY

JUDGE

In the presence of:

M/S Lumumba holding brief for Mr. Marete counsel for Petitioner

M/S Makori counsel for 3rd Respondent

Court Assistant - Martin

