



THE REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

CONSTITUTIONAL PETITION NO. E 009 OF 2021

IN THE MATTER OF THE CONSTITUTION OF KENYA ARTICLES 1, 2(1), (2) and (5), 3(1) and (2) , 4(2), 10, 19,20, 21,22(1) and 2(b) and (c), 23(1) 24(1) 33(1) (a), .35,38 (1) 47(1) and (2), 48,50,52,93,96,165(3) (b) and (d) (ii) 73(1), 75(1) (c) 174,175, 181,196(1) (b) 200, 258, 260

AND

IN THE MATTER OF ART. 1, 2, 3, 47, 50 (B) AND (C), 181 OF THE CONSTITUTION OF KENYA

AND

IN THE MATTER OF THE CONSTITUTION OF KENYA (PROTECTION OF RIGHTS AND FUNDAMENTAL FREEDOMS PRACTICE AND PROCEDURES RULES 213

AND

IN THE MATTER OF ART. 1,3, AND ART. 25(a) OF THE INTERNATIONAL CONVENTION ON CIVIL AND POLITICAL RIGHTS OF 1966

AND

IN THE MATTER OF THE COUNTY GOVERNMENT ACT 2012, SECTION 8, 30, 31 33(1) AND (2) AND 87

AND

IN THE MATTER OF THE STANDING ORDER NO. 67 OF THE WAJIR COUNTY ASSEMBLY STANDING ORDERS

AND

IN THE MATTER OF THE INTENDED REMOVAL FROM OFFICE OF THE GOVERNOR OF WAJIR COUNTY BY WAY OF IMPEACHMENT

BETWEEN

ADEN IBRAHIM MOHAMMED1ST PETITIONER

OMAR JELE ABDI2ND PETITIONER

BISHAR AHMED HUSSEIN.....3RD PETITIONER

SAFIYA MAHAMED ABDI4TH PETITIONER

YUSSUF IBRAHIM DIMBIL.....5TH PETITIONER

VERSUS

COUNTY ASSEMBLY OF WAJIR1ST RESPONDENT

CLERK OF THE COUNTY ASSEMBLY OF WAJIR.....2ND RESPONDENT
SPEAKER OF THE WAJIR COUNTY ASSEMBLY3RD RESPONDENT
ABDULLAHI ISSACK.....4TH RESPONDENT
SPEAKER OF THE SENATE5TH RESPONDENT
THE SENATE.....6TH RESPONDENT

AND

HE. THE GOVERNOR OF WAJIR COUNTY

AMB. MOHAMMED ABDI MOHAMMUD1ST INTERESTED PARTY

THE DEPUTY GOVERNOR AHMED ALI MUKHTAR2ND INTERESTED PARTY

THE CHIEF REGISTRAR OF THE HIGH COURT.....3RD INTERESTED PARTY

ASSUMPTION OF OFFICE OF THE GOVERNOR COMMITTEE.....4TH INTERESTED PARTY

DIRECTIONS

- i. Let the Notices of Change of Advocate by Mr. Marete and Mr. Omwanza be served forthwith and within 24 hours from now.
- ii. Let the Further Amended Petition be served upon all the parties with due and accurate indication of what has been added or excluded. That be not later than the close of business on Friday 11th June 2021.
- iii. The four advocates for the petitioners; Mr. Ndegwa, Mr. Wanyama, Mr. Omwanza and Mr. Marete ought to agree on who between them should be in charge of the team and for purposes of drawing pleadings, in particular.
- iv. Pending that agreement the request for leave to amend the petition by Mr. Omwanza and Mr. Marete is kept in abeyance.
- v. On request by Mr. Ndegwa and Mr. Wanyama that we do extend the orders of 18th May 2021 or clarify them, we say that the said orders were issued pending the *inter partes* hearing of the application of 18/5/2021, as confirmed on 24/5/2021. They remain in force and we see no need to consider extending them.
- vi. Matter stood over to 18/6/2021 at 10 a.m, virtually, to confirm compliance and for further directions as to hearing.

E. Muriithi

Judge

Patrick J O Otieno

Judge

T. W Cherere

Judge Judge

9/6/2021