

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

JUDICIAL REVIEW NO. 1 OF 2021

CORAM: HON. R.E. ABURILI J

MARGARET ATIENO ODIEMBO.....APPLICANT

- VERSUS -

NATIONAL COUNCIL FOR PERSONS

WITH DISABILITY.....1ST RESPONDENT

KENYA REVENUE AUTHORITY.....2ND RESPONDENT

RULING

1. I have considered the application dated 25/10/2021 filed under Certificate of Urgency seeking for leave to institute Judicial Review for orders of Mandamus to compel the respondents to review the applicants' Tax Exemption Certification.
2. I note that a similar application was lodged before this court vide Judicial Review Case No. E001 of 2021 on 29/3/2021 and vide a ruling dated 29/3/2021, leave was granted to the Exparte applicant to apply for Judicial Review orders of Mandamus to compel the same Respondents herein to review her tax exemption certification and to refund the deduction already made by the Respondent.
3. The court ordered that the main motion be filed and served within 10 days from 29/3/2021.
4. Today, no such motion has been filed. That being the case, the applicant cannot be allowed to file another application for leave without complying with the Ruling of 29/3/2021.
5. This application is an abuse of court process.
6. The same is hereby dismissed with no orders as to costs.
7. File closed.
8. Orders accordingly.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 1ST DAY OF NOVEMBER, 2021

R.E. ABURILI

JUDGE