



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

KAKAMEGA HIGH COURT CONSTITUTIONAL PETITION NO. 6 OF 2018

(CORAM: R. E. ABURILI - J.)

IN THE MATTER OF ARTICLES 1, 2, 22, 23, 27, 32, 36, 38 AND

81 OF THE CONSTITUTION OF KENYA, 2010 AMONG OTHERS

AND

IN THE MATTER OF THE SOCIETIES ACT

AND

IN THE MATTER OF THE PENTECOSTAL

ASSEMBLIES OF GOD - KENYA, CONSTITUTION

ELIJAH KATHIARI MIKWA.....1ST PETITIONER

DANIEL NYAKUNDI OYARO.....2ND PETITIONER

MARK KAKAI NANGALAMA.....3RD PETITIONER

SOLOMON KIPKEMBOI MAYO.....4TH PETITIONER

VERSUS

PENTECOSTAL ASSEMBLIES OF GOD - KENYA CHURCH.....1ST RESPONDENT

THE HONOURABLE ATTORNEY GENERAL.....2ND RESPONDENT

THE REGISTRAR OF SOCIETIES.....3RD RESPONDENT

REV. PATRICK MUSUNGU LIHANDA.....4TH RESPONDENT

RULING

1. I have considered the application for leave to be heard during the recess. I grant leave on the main application.
2. I have perused the prayers, grounds, supporting affidavit and the annexure thereto.
3. I observe that the orders which the 1st Respondent is alleged to have flouted were issued in 2018 and 2019.
4. I find no urgency disclosed.
5. I decline to certify the matter as urgent and direct the applicant to serve the Respondents for interpartes consideration in the new term.

6. Mention for directions before the Presiding Judge in Kakamega on 21/9/2020.

7. File referred back to Kakamega High Court for conclusion.

Date, signed and Delivered at Siaya this 3rd Day of September 2020

R.E. ABURILI

JUDGE