



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

JUDICIAL REVIEW APPLICATION NO. MISC E013 OF 2020

**IN THE MATTER OF AN APPLICATION FOR LEAVE TO INSTITUTE
JUDICIAL REVIEW PROCEEDINGS FOR ORDERS OF CERTIORARI AND PROHIBITION**

BETWEEN

MAGAL SECURITY SERVICES LIMITED.....APPLICANT

VERSUS

THE PUBLIC PROCUREMENT

ADMINISTRATIVE REVIEW BOARD.....RESPONDENT

AND

KENYA RAILWAYS CORPORATION.....1ST INTERESTED PARTY

HORSEBRIDGE NETWORK SYSTEMS (EAST AFRICA)

LIMITED IN JV WITH FLIR SYSTEMS (UK).....2ND INTERESTED PARTY

ACHELIS KENYA LIMITED, DAMS CONSTRUCTION

LIMITED, OTTO MRUTTU + PARTNERS ARCHITECTS,

ARMSTRONG & DUNCAN, BRILLITECH ENGINEERING

SERVICES LIMITED, COM TWENTY -ONE LIMITED GLOSEC

SOLUTIONS LIMITED (CONSORTIUM).....3RD INTERESTED PARTY

RULING

1. The *ex parte* Applicant, 1ST Interested Party, and 2nd Interested Party herein have filed a consent dated 17th September 2020 which is duly signed by their advocates. The consent is to the effect that the substantive application dated 5th August 2020 filed by the Applicant is hereby withdrawn, that this matter should be marked as withdrawn, and that each party to bear its own costs.
2. I note in this regard that while the Respondent filed a replying affidavit, the 3rd Interested Party did not file any pleadings herein.
3. In the premises I hereby order as follows:

I. The consent dated 17th September 2020 is hereby adopted as an order of the Court, and this suit is hereby marked as withdrawn.

II. Each party shall bear its respective costs of the suit.

III. The Deputy Registrar of the Judicial Review Division shall send a copy of this ruling to the *ex parte* Applicant, Respondents and Interested Parties by electronic mail by close of business on Thursday, 8th October 2020.

4. Orders accordingly.

DATED AND SIGNED AT NAIROBI THIS 7th DAY OF OCTOBER 2020

P. NYAMWEYA

JUDGE