



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIVASHA

NAROK ELECTION PETITION NO. 3 OF 2017

IN THE MATTER OF A PETITION CONTESTING THE VALIDITY OF THE ELECTIONS FOR THE SEAT OF SENATOR OF NAROK COUNTY HELD ON 8TH AUGUST 2017

IN THE MATTER OF ARTICLES 1, 2, 3, 10, 20, 23, 47, 81, 82, 83, 86, 87, 98, 165 (3) (b), (d), (e), 258, 259 OF THE CONSTITUTION OF KENYA

IN THE MATTER OF SECTION 75 AND 76 OF THE ELECTIONS ACT 2011

IN THE MATTER OF AN ELECTION PETITION BY NKOIDILA OLE LANKAS AND ALBERT KIPLANGAT

NKOIDILA OLE LANKAS.....1ST PETITIONER

ALBERT KIPLANGAT.....2ND PETITIONER

-VERSUS-

INDEPENDENT ELECTORAL AND

BOUNDARIES COMMISSION.....1ST RESPONDENT

NDUKU KIMEU ANNAHSTACIA.....2ND RESPONDENT

LEDAMA OLE KINA.....3RD RESPONDENT

IN CHAMBERS ON 6TH FEBRUARY, 2018

BEFORE HON. LADY JUSTICE C. MEOLI, J

DIRECTIONS ON ONGOING SCRUTINY

1. Pursuant to the information communicated by the Deputy Registrar to the effect that candidate tally sheets, which are the subject of the Court Order for scrutiny (30th January, 2018) are in sealed ballot boxes, and stored in a warehouse in Bomet, I direct that:-

- a) The Deputy Registrar and the team working under her supervision, do travel to Bomet and carry out the scrutiny, in respect of the candidate tally sheets at the I.E.B.C. warehouse located in Bomet.
- b) The sealed ballot boxes holding the candidate tally sheets in question are to be opened in the

presence of the Deputy Registrar and agents of the parties for the purposes of retrieving the stated tally sheets for scrutiny as ordered earlier.

c) That upon the conclusion of the scrutiny exercise at the warehouse at Bomet, the tally sheets are to be returned to their respective ballot boxes, which shall be sealed afresh, in the presence of the Deputy Registrar and the parties' representatives.

d) A copy of this order to be served upon all the parties in the Petition.

Written and signed at Naivasha this **6th** day of **February, 2018**.

C. MEOLI

JUDGE