



REPUBLIC OF KENYA



**Yang v Secretary to the IEBC & another (Judicial Review Application E294 of 2025)
[2025] KEHC 13467 (KLR) (Judicial Review) (29 September 2025) (Ruling)**

Neutral citation: [2025] KEHC 13467 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
JUDICIAL REVIEW APPLICATION E294 OF 2025
RE ABURILI, J
SEPTEMBER 29, 2025**

BETWEEN

ZELIANG YANG APPLICANT

AND

THE SECRETARY TO THE IEBC 1ST RESPONDENT

**THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION 2ND
RESPONDENT**

RULING

1. The application dated 9/9/2025 by way of Chamber Summons seeks leave of court to apply for mandamus to compel the CEO, Independent Electoral and Boundaries Commission (IEBC), as the accounting officer of IEBC to settle decree in the sum of Kshs.530,433.00 plus interest at 12% p.a from 9/1/2019 in terms of certificate of order against the Government in Milimani CMCC 3364/2006.
2. The Decree was issued on 19/4/2017, date of judgment in the original suit. The matter arose out of a road traffic accident where the applicant's motor vehicle KAR 576Y Toyota Hilux was damaged by the Respondent's Motor Vehicle Reg. No. G.K. A 983 J Toyota Prado.
3. The applicant initially filed JR. 067/2022 which was dismissed on 3/11/2024 for non-joinder and misjoinder of parties for the reason that the application cited the Attorney General who is not the accounting officer of the commission hence the new application herein.
4. I have perused the application, verifying affidavit and statutory statement together with the annexures.
5. I am satisfied that prima facie; the applicant has a judgment and decree against the Respondents; that a certificate of order against the Government was issued and served upon the Respondents through



the Attorney General with a demand for settlement on 13/3/2019 and that there is no evidence of settlement.

6. Accordingly, as no execution can issue against the Respondent, I am satisfied that the leave sought to apply for mandamus is merited. I allow the chamber summons dated 10/9/2025 and grant the applicant leave to apply as sought in prayer No. 1 of the chamber summons.
7. The substantive notice of motion to be filed and served within 21 days of today, in a fresh Judicial Review matter. Costs shall be in the main motion.
8. This file is closed.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 29TH DAY OF SEPTEMBER, 2025

R. E. ABURILI

JUDGE

