



REPUBLIC OF KENYA



**Mwami v Kipchumba & 3 others (Election Petition E001 of 2025)
[2025] KEHC 15008 (KLR) (Civ) (23 October 2025) (Directions)**

Neutral citation: [2025] KEHC 15008 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

CIVIL

ELECTION PETITION E001 OF 2025

JN MULWA, J

OCTOBER 23, 2025

BETWEEN

MARY ARIVIZA MWAMI PETITIONER

AND

HAROLD KIMUGE KIPCHUMBA 1ST RESPONDENT

**INDEPENDENT ELECTORAL BOUNDARIES COMMISSION 2ND
RESPONDENT**

**ORANGE DEMOCRATIC MOVEMENT PARTY OF KENYA 3RD
RESPONDENT**

SPEAKER OF THE NATIONAL ASSEMBLY 4TH RESPONDENT

DIRECTIONS

1. This petition dated 19/08/2025 was filed on 20/08/2025, and by a Gazette Notice (L. N. 116 of 2017) dated 4/09/2025 the Hon. The Chief Justice of the Republic of Kenya appointed this court (Hon Lady Justice Janet Mulwa, Judge in the Civil Division of the High Court at Milimani to hear and determine the petition.
2. Counsel representation of the parties is as hereunder:-
 - a. Petitioner – by Sinana & Co. Advocates (Ms. Sinana)
 - b. 1st Respondent – Ibrahim, Issack & Co. Advocates (Mr. Athuok & Mr. Namude)
 - c. 2nd Respondent: - CB Mwangela & Co. Advocates (Mr. Mwangela & Mr. Omondi)
 - d. 3rd Respondent: – No appointment of counsel as at 22/10/2023, as at 1.00pm.



- e. 4th Respondent – Mr. Emarcar
 - f. Interested Party:– MNW & Co. Advocates LLP (Mr. Mukuha)
3. Interlocutory Applications Filed 22/10/2025
- a. Application by the Petitioner dated 2/10/2025.
 - b. The Petitioner seeks enlargement of time within which the Petitioner deposits her security for costs, and the security deposited on 29/09/2025 be deemed as paid within the statutory prescribed timeline.
 - c. Preliminary objection to hearing of the petitioner’s petition dated 23/09/2025 filed by the 1st Respondent.
 - d. Application by the intended interested party dated 25/09/2025 seeking to be joined in these proceedings as an interested party.
 - e. Application dated 30/09/2025 filed by the 2nd Respondent seeking orders to strike out the petitioner’s petition.
 - f. The court notes that the 3rd Respondent, (ODM) though physically served with the Petition on 11/09/2025 has not entered an appearance or filed any appointment of Advocates to represent it in these proceedings.

Directions on Disposal of the Interlocutory Application.

- 4. That Respondent in the stated applications have filed their responses to the various applications. For those who have not responded they are granted 7 days to file and serve; with correspondent leave to the Applicants to file Supplementary responses, and their submissions within 10 days.
- 5. The Intended Interested Party’s Application dated 25/092025 is allowed by consent of parties. The Applicant shall regularize the jointer to these proceedings; and file responses to the applications as well as submissions.
- 6. On the Preliminary Objection dated 23/09/2025 (by 1st Respondent) is supported by the other Respondents and the Interested Party.
The Petitioner opposes the same and has been granted 7 days to file its submissions and exchange.
- 7. The two applications dated 30/09/2025 and 2/10/2025 and the Preliminary Objection shall be heard simultaneously by way of written submissions as foretasted.
- 8. Upon parties complying with the above directions on filing submissions to the applications, and having expressed their intentions not to return for highlighting the submissions the court has reserved a ruling date on the applications (including the PO) on 14/11/2025 at 1.00pm

DATED THIS 23RD DAY OF OCTOBER 2025 – 4.30PM.

**JANET MULWA
JUDGE**

