



**Republic v County Secretary, County Government of Narok & another; British  
Pharmaceuticals Limited (Ex parte) (Judicial Review Miscellaneous Application  
E001 of 2023) [2025] KEHC 15046 (KLR) (23 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 15046 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAROK  
JUDICIAL REVIEW MISCELLANEOUS APPLICATION E001 OF 2023**

**CM KARIUKI, J**

**OCTOBER 23, 2025**

**RULING**

**IN THE MATTER OF CIVIL APPEAL NO. E020 OF 2020 -COUNTY  
GOVERNMENT OF NAROK VS BRITISH PHARMACEUTICALS  
LIMITED FOR JUDICIAL REVIEW ORDER OF MANDAMUS**

**AND**

**ORDERS 22, 59 AND 53 OF THE CIVIL PROCEDURE RULES**

**AND**

**SECTION 8 AND 9 OF THE LAW REFORM ACT, CAP 26 LAWS OF KENYA**

**AND**

**SECTION 21 OF THE GOVERNMENT PROCEEDINGS ACT CAP 40 LAWS OF KENYA**

**AND**

**SECTION 11(1) OF THE FAIR ADMINISTRATION ACTION ACT, 2015**

**AND**

**IN THE MATTER OF ARTICLES 1(1), 2(1), 10(1)(B), 20(1),  
23, 47 AND 165 OF THE CONSTITUTION OF KENYA 2010**

**BETWEEN**

**REPUBLIC ..... APPLICANT**

**AND**

**COUNTY SECRETARY, COUNTY GOVERNMENT OF NAROK .... 1<sup>ST</sup>  
RESPONDENT**

**NAROK CEC, MEMBER FOR FINANCE AND ECONOMIC  
PLANNING ..... 2<sup>ND</sup> RESPONDENT**



AND

BRITISH PHARMACEUTICALS LIMITED ..... EX PARTE

**RULING**

1. By Motion dated 02/05/2025 the Applicant seeks orders citing County Secretary and County Treasurer for contempt of court for failing to obey the court orders issued on 18/11/2024 directing the payment of the decretal sum awarded in CMCC NO. 99 of 2017 within the next 60 days from 18/11/2024. Secondly, the same two (2) officers be committed to civil jail for contempt of court for such a period as the court may determine for willfully violating disobeying and disregarding the orders issued on 18/11/2024 by this court in JR No. E001 of 2023 plus costs.
2. The application is supported by the grounds on the face of the motion and reiterated in supporting affidavit of David Oyatta sworn on 02/05/2025.
3. I have not seen either the Replying Affidavit or the Submissions by the Respondents though the record says the Reply was to be filed within 7 days along with the Submissions.

**Determination:**

4. In Judicial Review Case No. E001/2023 Gikonyo – Judge determined on the 18/11/2024 that an order of mandamus to issue compelling the Respondents to within 60 (sixty) days’ pay the Applicant Kshs. 10,636,300.80 being the decretal sum and costs awarded to the exparte Applicant in Narok CMCC 99/2017 and HCCA No. E020 of 2020. To date the Respondents have not satisfied the said decretal amount. No justification for such failure has been tendered since 18/11/2024 almost a year now.
5. Thus, the court finding no explanations acceptable to court being almost a year now. Thus, the court finding no acceptable explanations being offered by the Respondents. The issues the orders;
  - i. That, the Motion dated 02/05/2025 succeeds to the effect that the Respondents are cited for the contempt of court for willfully failing to obey court order. They are held in contempt of court and thus notice for the two Respondents to appear in court for sentencing is issued for directions on 28/10/2025 in default of appearance, the court will sentence them in absentia and issue warrants for their arrest and committal to serve imprisonment term to be set in Narok – GK Prison.
  - ii. Costs of this application is granted to the applicants.
  - iii. Orders accordingly.

**DATED, SIGNED, AND DELIVERED AT NAROK THROUGH TEAMS APPLICATION, THIS 23<sup>RD</sup> DAY OF OCTOBER 2025.**

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**CHARLES KARIUKI**  
**JUDGE**

