



Republic v Public Procurement Administrative Review Board & another; Quality Inspection Services Japan & 8 others (Interested Parties); Accounting Officer, Kenya Bureau of Standards & another (Ex parte Applicants) (Judicial Review Application E142 of 2025) [2025] KEHC 16106 (KLR) (Judicial Review) (6 November 2025) (Ruling)

Neutral citation: [2025] KEHC 16106 (KLR)

REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
JUDICIAL REVIEW APPLICATION E142 OF 2025
RE ABURILI, J
NOVEMBER 6, 2025

BETWEEN

REPUBLIC APPLICANT

AND

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD 1ST RESPONDENT

WORLD STANDARDIZATION, CERTIFICATION AND TESTING GROUP (SHENZHEN) COMPANY LIMITED 2ND RESPONDENT

AND

QUALITY INSPECTION SERVICES JAPAN INTERESTED PARTY

CHINA HANSOM INSPECTION AND CERTIFICATE COMPANY LIMITE INTERESTED PARTY

ASTC AS TEST CERTIFICATION TECH (HANGZHOU) COMPANY LIMITED INTERESTED PARTY

CHINA CERTIFICATION AND INSPECTION GROUP COMPANY LIMITED INTERESTED PARTY

INTERTEK INTERNATIONAL LIMITED INTERESTED PARTY

COTECNA INSPECTION SA INTERESTED PARTY

TUV RHEINLAND INTERESTED PARTY

BUREAU VERITAS INTERESTED PARTY

SGS SA INTERESTED PARTY



AND

**THE ACCOUNTING OFFICER, KENYA BUREAU OF
STANDARDS EX PARTE APPLICANT**
KENYA BUREAU OF STANDARDS EX PARTE APPLICANT

RULING

1. This matter was before me under certificate of urgency on 5/11/2025. The court did not certify it as urgent but proceeded to give directions on the effecting of service upon the Respondents and Interested Parties and timelines thereof.
2. The Applicant did not seek for stay in the originating motion. An application for stay under Rule 14 of the Fair Administrative Action Rules has been filed under certificate of urgency and it is dated 5/11/2025.
3. I have perused the application for stay as supported by the affidavit of Jane Ndinya on 5/11/2025. I am satisfied that it is urgent, and i hereby certify it as urgent.
4. On whether an interim stay of enforcement of the impugned decision of 27/10/2025 made by the 1st Respondent should be granted, I observe that the decision as impugned is time bound and it takes effect within 14 days of the date of the decision.
5. The decision directs the exparte applicant to complete the procurement process within 30 days of the date of the decision meaning, before these proceedings are determined which is in the next 45 days of the date of filing.
6. In my view, these proceeding shall be rendered academic if the stay sought to preserve the status quo is not granted. In the circumstances, and so as to allow all the parties to ventilate the dispute fully without prejudicing any party to the procurement process, I hereby grant stay of implementation of the 1st Respondent's decision of 27/10/2025 until these proceedings which are strictly time bound by statute are heard and determined on merit.
7. The directions given on 5/11/2025 on service and timelines for compliance still stand.
8. I so order.

**DATED, SIGNED & DELIVERED IN CHAMBERS AT NAIROBI THIS 6TH DAY OF NOVEMBER,
2025**

R.E. ABURILI

JUDGE

