

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
JUDICIAL REVIEW DIVISION
JUDICIAL REVIEW APPLICATION NO. E395 OF 2025

VETLAB SPORTS CLUB.....1ST EXPARTE APPLICANT
ALLAN AZEGELE.....2ND EXPARTE APPLICANT
JOHN KARIUKI.....3RD EXPARTE APPLICANT
ERIC KARUGA.....4TH EXPARTE APPLICANT
CAROLINE MUGUKU.....5TH EXPARTE APPLICANT
JOYCE WAMUCII.....6TH EXPARTE APPLICANT
RACHEL NDEI.....7TH EXPARTE APPLICANT
SHITUL SHAH.....8TH EXPARTE APPLICANT
BONIFACE MUNGAI.....9TH EXPARTE APPLICANT
ELIZABETH NGETHE.....10TH EXPARTE APPLICANT

-VERSUS-

SPORTS DISPUTE TRIBUNAL.....1ST RESPONDENT
JARED OUKO.....2ND RESPONDENT
BEATRICE KAMAU.....3RD RESPONDENT

RULING ON APPLICATION FOR LEAVE TO APPLY AND STAY

1. I have considered the chamber summons dated 9/12/2025 filed under certificate of urgency. I certify it as urgent.
2. On whether leave to apply for judicial review orders should be granted, the applicants seek the following Orders:

1...

2. *THAT this Honourable Court be pleased to grant the Ex-Parte Applicants leave to apply for Judicial Review orders of*

Certiorari to quash the decision and/or orders of the 1st Respondent issued on 5th December 2025 in SDTSC NO. E080 OF 2025 JARED OUKO OLANG'O & ANOTHER -VS- ALLAN AZEGELE & 9 OTHERS.

3. *THAT this Honourable Court be pleased to grant the Ex Parte Applicants leave to apply for Judicial Review orders of Certiorari to do issue, to bring to this Court for purposes of being quashed, and to be quashed, the decision made by the 1st Respondent's conferring jurisdiction in its ruling of 5th December 2025 in SDTSC NO. E080 OF 2025 JARED OUKO OLANG'O & ANOTHER -VS- ALLAN AZEGELE & 9 OTHERS.*
4. *THAT this Honourable Court be pleased to grant the Ex-Parte Applicants leave to apply for Judicial Review orders of Mandamus compelling the 1st Respondent to strike out the 2nd and 3rd Respondents' applications and Memorandum of Appeal dated 16th October 2025 for lack of jurisdiction.*
5. *THAT the leave so granted do operate as a stay of all proceedings and/or further actions by the 1st, 2nd and 3rd Respondent in relation to the ruling dated 5th December 2025*

issued in SDTSC NO. E080 OF 2025, pending the hearing and determination of the substantive Judicial Review application.

6. *THAT the Honourable Court do grant any other or further relief that it may deem fit to grant.*

7. *THAT the costs of this application be in the cause.*

3. The application is predicated on the grounds set out in the annexed statutory Statement and the Affidavit Verifying Facts sworn by SHITUL SHAH.

4. The applicant's case is that the Sports Disputes Tribunal has no jurisdiction to entertain the dispute filed before it by the 2nd and 3rd respondents, on account that the 1st ex-parte applicant is not registered with the sports Registrar as a sports entity and that neither is the dispute a sports related dispute.

5. The only issue for determination is whether the applicant has made out a prima facie arguable case for consideration at the substantive stage.

6. The applicants raise issues of jurisdiction of the Sports Disputes Tribunal. Without delving into the merits of the intended application, I am satisfied that the intended application is not frivolous or hopeless on the face of it. An arguable case is not necessarily one that must succeed but that it is not frivolous.

In the premises, I hereby grant the applicants leave of court to apply for judicial review orders sought in the chamber summons dated 9/12/2025.

The substantive motion shall be filed and served within 21 days of this order.

7. On whether stay of implementation of the orders made by the 1st Respondent which the applicants claim was made without jurisdiction, in view of alleged lack of jurisdiction to grant the orders that the Tribunal made, I hereby grant stay of implementation of the said orders until the substantive notice of motion is filed, heard and determined.
8. The substantive motion to be filed in a fresh Judicial Review File.
9. I make no orders as to costs.
10. This file is closed.

Dated, Signed and Delivered at Nairobi this 10th Day of December, 2025

**R.E. ABURILI
JUDGE**