



REPUBLIC OF KENYA



**Ojiambo v Republic (Petition E089 of 2024) [2025] KEHC 19178 (KLR)
(Judicial Review) (19 December 2025) (Ruling)**

Neutral citation: [2025] KEHC 19178 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
PETITION E089 OF 2024
RE ABURILI, J
DECEMBER 19, 2025**

BETWEEN

GODFREY MUCHANJI OJIAMBO PETITIONER

AND

REPUBLIC RESPONDENT

RULING

1. The petition is undated and filed by the convict Geoffrey Muchanji Ojiambo who is serving 20 years imprisonment for the offence of murder on 9/12/2020.
2. The petitioner/applicant seeks for resentencing because he claims that he was given mandatory sentence hence the need to revise it in line with the Francis Karioko Muruatetu & another v Republic [2017] eKLR decision of the Supreme Court.
3. The matter was filed here on 17/6/2022 and has been lying in the Case Tracking System until we undertook an audit of cases.
4. No action has been taken since the filing, not even an enquiry.
5. Furthermore, the matter ought to have been instituted before the criminal Division of the High court where it first originated vide HCCR 55/2015.
6. Accordingly, the petition for resentencing filed on 17/6/2022 is hereby dismissed for want of prosecution and for being misplaced.
7. This file is closed. I so order.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 19TH DAY OF DECEMBER, 2025

R.E. ABURILI



JUDGE

