



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT NAKURU**  
**PETITION E067 OF 2025**

**PAUL MUCHIRI NDEGWA -----1<sup>ST</sup>**  
**PETITIONER**  
**KEPHA OMUYOMA ----- 2<sup>ND</sup>**  
**PETITIONER**

**-VERSUS-**

**COUNTY GOVERNMENT OF NAKURU ----- 1<sup>ST</sup>**  
**RESPONDENT**  
**NATIONAL YOUTH SERVICE -----2<sup>ND</sup>**  
**RESPONDENT**

**RULING**

1. This Petition is brought together with a Notice of Motion dated 4<sup>th</sup> December, 2025 for reliefs as hereunder;

**1. THAT a conservatory order be issued staying, suspending, restraining and prohibiting the Respondents - whether jointly or severally, by themselves, their**

**servants, agents and or persons acting under their authority - from implementing, operationalising, executing, acting upon or in any manner giving effect of the Memorandum of Understanding dated 7<sup>th</sup> November 2025 between the County Government of Nakuru and the National Youth Service pending the hearing and determination of the Petition.**

- 2. THAT a conservatory order be issued restraining the 1<sup>st</sup> Respondent, its officers, agents, servants or any persons acting under its authority from approving, processing, releasing or making any payments arising from or connected to the Memorandum of Understanding dated 7<sup>th</sup> November 2025, pending the hearing and determination of the Petition.**
- 3. THAT a declaration be issued, pending the hearing and determination of the Petition, that the impugned Memorandum of Understanding dated 7<sup>th</sup> November 2025 is unlawful, unconstitutional and in violation of Articles 10, 35, 47, 201 and 227 of the Constitution in contravention of the Public Procurement and Asset Disposal Act, 2015,**

**the National Youth Service Act, and the County Governments Act.**

**4. THAT a further declaration be issued that the said Memorandum of Understanding is null and void *ab initio* for failure to comply with mandatory constitutional and statutory requirements.**

**5. THAT the costs of this application be provided for.**

2. The Motion is supported by the Petitioners' Affidavit purportedly sworn on 4<sup>th</sup> December 2025. The Application is unopposed, the Respondents having failed to file replies withstanding evidence of service of the Petition and Application upon them.
3. The Application is thus deemed as unopposed and is granted in terms of prayers 1 and 2.
4. Ruling accordingly.

**J. M. NANG'EA, JUDGE**

**Ruling dated, signed and delivered virtually at Nakuru  
this 26<sup>th</sup> day of January, 2026**

**In the presence of:**

**Mr. Karanja Advocate for the Petitioners**  
**Respondents, Absent**  
**Court Assistant (Jeniffer)**

**J. M. NANG'EA, JUDGE**