



**Gideon v Governor, Kericho County Government & 2 others; Kaptich & 4 others (Interested Parties) (Petition E002 of 2026) [2026] KEELRC 368 (KLR) (13 February 2026) (Ruling)**

Neutral citation: [2026] KEELRC 368 (KLR)

**REPUBLIC OF KENYA  
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT KERICHO  
PETITION E002 OF 2026**

**J RIKA, J  
FEBRUARY 13, 2026**

**BETWEEN**

**NG'ETICH KIPLANGAT GIDEON ..... PETITIONER**

**AND**

**THE GOVERNOR, KERICHO COUNTY GOVERNMENT ... 1<sup>ST</sup> RESPONDENT**

**THE SPEAKER, KERICHO COUNTY ASSEMBLY ..... 2<sup>ND</sup> RESPONDENT**

**COUNTY ATTORNEY, KERICHO COUNTY ..... 3<sup>RD</sup> RESPONDENT**

**AND**

**ROSE CHEPNGENO KAPTICH ..... INTERESTED PARTY**

**DAVID K. A. SIELE ..... INTERESTED PARTY**

**CALEB CHERUYIOT KOECH ..... INTERESTED PARTY**

**DAISY CHEROTICH ..... INTERESTED PARTY**

**ALFRED CHERUYIOT ROP ..... INTERESTED PARTY**

**RULING**

1. The Petitioner is a voter and resident of Kericho County.
2. He is aggrieved by the process of recruitment of the Interested Parties, as a panel charged with the responsibility of recruiting County Secretary, Kericho.
3. His position is that the 1st Respondent nominated the Interested Parties to serve as members of the panel. He forwarded the names to 2nd Respondent, for transmission to the County Assembly.
4. Thee Assembly vetted and interviewed the Interested Parties as members of the panel on 2nd December 2025.



5. The Interested Parties interviewed and shortlisted candidates for the position of County Secretary, and are at the point of submitting the names of qualified candidates to the 1st Respondent, for approval and appointment.
6. The Petitioner faults the appointment of the 2nd Interested Party as a member of the panel, on the ground that he is not from the private sector. He served as chair to the National Labour Board. The 4th Interested Party is faulted on the ground that he is not a paid-up member of ICPAK, and has unresolved disciplinary issues, with ICPAK. The 3rd Interested Party was appointed as a member of the LSK, without clearance from the LSK.
7. Other challenges are that, the Interested Parties are from one ethnic community, while Kericho is a cosmopolitan County, and persons with disabilities were not considered.
8. It is the Petitioner's position that the process is void ab initio, as the Interested Parties were not qualified to hold their positions in the recruitment panel.

**The Court Finds: -**

9. The Petitioner does not explain why he did not petition the Court at the point when the Interested Parties were nominated to serve in the panel, or when they were vetted / interviewed by the County Assembly, on 2nd December 2025.
10. The Interested Parties invited applicants for the position of County Secretary on 11th December 2025.
11. The Petitioner took no action in December 2025, or January 2026, against the panel he claims was unconstitutionally composed.
12. The panel is at the final phase of its mandate- submission of the successful candidates' names, to the 1st Respondent for approval and appointment.
13. It is not clear at all, why the Petitioner would wait until the 11th hour, to challenge a panel whose mandate is almost expired.
14. The Court does not therefore think, that it is justified to issue an order of injunction against the Interested Parties, restraining them from submitting their report to the 1st Respondent.
15. It is sufficient that the 1st Respondent is directed to suspend the approval and appointment of any person, whose name has been submitted by the Interested Parties as County Secretary, pending hearing and determination of the rest of the application inter partes.

**It Is Ordered: -**

- a. The petition and application shall be served upon the Respondents and the Interested Parties.
- b. The Respondents and the Interested Parties shall file their respective responses, within 14 days of service.
- c. Pending hearing and determination of the application, the 1st Respondent is restrained from appointing any person, whose name has been submitted by the Interested Parties to the 1st Respondent, for appointment as County Secretary, Kericho.
- d. Mention on 13th March 2026.

**DATED, SIGNED AND DELIVERED ELECTRONICALLY AT KERICHO, THIS 13TH DAY OF FEBRUARY 2026.**



**JAMES RIKA**  
**JUDGE**

