

**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**CONSTITUTIONAL AND HUMAN RIGHTS DIVISION**  
**MISCELLANEOUS CAUSE NUMBER E070 OF 2025**

**WESLEY KIRWA SIRMA. ....**  
**APPLICANT**

**VERSUS**

**DHL SUPPLY CHIAN LIMITED KENYA. ....**  
**RESPONDENT**

**R U L I N G**

1. The applicant moved this court under Notice of Motion dated 1<sup>st</sup> December, 2025 for the following orders:

1. ***An Order adopting the decision of the Commission on Administrative Justice, (CAJ) dated 4<sup>th</sup> July, 2025 as an order of this Honourable Court.***
2. ***An Order compelling the Respondent to forthwith implement in full the adopted decision of the Commission on Administrative Justice (CAJ) by releasing the Information as directed and settling the award issued by CAJ.***
3. ***A Declaration that the Respondent's refusal and/or failure to implement the CAJ decision constitutes a breach of statutory duty under the Commission on Administrative Justice Act, 2011, particularly where applicable under the Access to Information Act, 2016; violation of the Applicant's constitutional rights under Articles 10, 35, 47 and 48 of the***

***Constitution of Kenya, 2010 and violation of the Applicant's labour rights***

***4. Costs of this application be awarded to the Applicant.***

2. Under Section 23(5) of the Access to Information Act, the decision of the CAJ is enforceable in court, as decision of this court, once it is made and no appeal against it is preferred. The party in whose favour is the decision made can move this court for the enforcement of the same.
3. When this application was filed, the court directed service upon the respondent, service was duly effected as evidenced by affidavit of service dated 21<sup>st</sup> January, 2026 sworn by Shadrack Mulanga.
4. The respondent has not filed any document in opposition to the application.
5. Further, in the supporting affidavit, I have confirmed that the decision of the CAJ is attached.
6. I will thus, adopt the decision of CAJ dated 14<sup>th</sup> July, 2025 and adopt the orders therein as decision of this court as follows:
  - i) That the Chief Executive Officer, DHL Supply Chain Kenya, Head Office do facilitate access to information and records held relating to request of information and records made by***

**Wesley Kerwa Sirma in letter dated 4<sup>th</sup> March, 2025 and 7<sup>th</sup> April, 2025 regarding his trip logs and shutting log since June, 2016.**

- ii) That there be compliance with Order No. 1 be within 21 days from date hereof.**
  
- iii) That in event of failure to comply with Order No. 1, the respondent shall be liable to pay the applicant a sum of Ksh.10,000/- per day being compensation line with Section 23 (2) (b) of Access to Information Act until the information sought is released. It is ordered.**
  
- iv) The file is now marked closed.**

**Dated, signed and delivered virtually at Nairobi this 12<sup>th</sup> day of February, 2026.**

.....

**L N MUGAMBI**

**JUDGE**