



REPUBLIC OF KENYA



KENYA LAW
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**Mutiso v County Officer, Nairobi County Government (Judicial Review 108A of 2008)
[2026] KEHC 2026 (KLR) (Judicial Review) (19 February 2026) (Ruling)**

Neutral citation: [2026] KEHC 2026 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
JUDICIAL REVIEW 108A OF 2008
JM CHIGITI, J
FEBRUARY 19, 2026**

BETWEEN

PATRICK WAMBUA MUTISO APPLICANT

AND

COUNTY OFFICER, NAIROBI COUNTY GOVERNMENT RESPONDENT

RULING

1. The Application that is before this court is the new dated 6th February, 2025 wherein the Applicant is seeking the following orders.
 1. That this Honourable Court be pleased to commit Mrs. Asha Abdi, the Accountant to the 2nd Respondent to a six (6) months civil jail for disobedience and noncompliance with the Judgment and Orders issued by the Honourable Court on 5th December, 2011.
 2. That the said Orders to be enforced by the Officer Commanding Central Police Station.
 3. That the costs of the application be borne by the Respondent.
2. The Applicant moved this Honourable court by way of Notice of Motion application dated 17th April, 2008, seeking an Order of Mandamus directing the Respondents to make good of the decretal sums owing in full, which at the time was Kshs. 541,504/=,
3. On 5th December, 2011, the court issuing an Order of Mandamus compelling the Respondents herein to pay the decretal sum together with the interest accrued in full.
4. The Respondents have not sought a Review and/or setting aside the judgment.
5. His advocate has written letters to the County Attorney with regards to this matter, the Court Attorney elicited a response through a letter dated 21st February, 2024, and a further letter dated 28th



October, 2024, noting that they had forwarded the matter to finance sector advising them to make good of the due and owing decretal sums.

6. From the record, I am satisfied that on 5th December, 2011, the court issued an Order of Mandamus compelling the Respondents to pay Kshs. 541,504/=.
7. The amount remains due and outstanding. No reason or justification for the failure to satisfy the Decree has been advanced by the Respondent.
8. Court orders are not issued in vain. This court is of the view that the 1st Respondent should attend court to show cause why a Notice to Show cause should not issue before committing her to Civil Jail.

Order:

1. A Notice to Show cause is hereby issued compelling the 1st Respondent to attend court on 4th March, 2026 at 11 AM to show cause why she should not be committed to Civil Jail.
2. The 1st Respondent shall appear in person.
3. Costs to the Applicant.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 19TH DAY OF FEBRUARY, 2026.

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J. CHIGITI (SC)

JUDGE

