



**Football Kenya Federation League & Competitions Committee & another v
Sports Disputes Tribunal & 2 others (Judicial Review Application E066 of 2026)
[2026] KEHC 3144 (KLR) (Judicial Review) (10 March 2026) (Ruling)**

Neutral citation: [2026] KEHC 3144 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
JUDICIAL REVIEW APPLICATION E066 OF 2026
RE ABURILI, J
MARCH 10, 2026**

BETWEEN

**FOOTBALL KENYA FEDERATION LEAGUE & COMPETITIONS
COMMITTEE 1ST APPLICANT**

**FOOTBALL KENYA FEDERATION DISCIPLINARY COMMITTEE 2ND
APPLICANT**

AND

SPORTS DISPUTES TRIBUNAL RESPONDENT

AND

NAIROBI UNITED FOOTBALL CLUB 1ST INTERESTED PARTY

GOR MAHIA FOOTBALL CLUB 2ND INTERESTED PARTY

RULING

1. The application dated 9/3/2026 is brought under certificate of urgency. I have perused the application, the grounds in support as per the statutory statement and documents filed in support. I am satisfied that it is urgent. I certify it as urgent.
2. On the substantive prayers, the applicant seeks leave of court to apply for Judicial Review orders of certiorari and prohibition, challenging the decision of the Sports Disputes Tribunal. The Respondent herein, rendered on 6/3/2026 in SDT.SC E010 of 2026 Nairobi Football Club vs The Football Kenya Federation Leagues and Competitions Committee & Another which decision is sought to be quashed and to prohibit the Tribunal from entertaining any dispute arising between the Interested Party Football Clubs, from the applicant committees, before the said clubs and parties exhaust



appeal mechanisms provided for under Football Kenya Federation, being FKF Appeals Committee established under Article 67 of the Football Kenya Federation Constitution, 2017.

3. The applicant also prays that leave if granted do operate as stay of the impugned decision and directions to the applicants to rehear the underlying dispute between the two Interested Parties afresh within 5 days of its decision.
4. I have considered the application as presented. I note that the applicant filed the matter expeditiously on 9/3/2026 after the impugned decision was rendered on 6/3/2026 but due to underpayment of court fees, the file was not availed for consideration on 9/3/2026 until today. The applicants have been invoiced to settle the deficit court fees.
5. That said from a reading of the application, it challenges jurisdiction of the Respondent Tribunal. A challenge to jurisdiction raises a prima facie arguable case for in-depth inquiry at the substantive stage, and its merits cannot be determined at the leave stage.
6. For the above reasons, I grant leave to the applicants to apply for Judicial Review orders as sought in prayers 2 and 3 of the chamber summons dated 9/3/2026. The main motion be filed and served within 21 days of today.
7. On stay, as the intended motion is likely to be rendered nugatory since implementation of the Tribunal's decision was ordered to be within 5 days which lapses on 11/3/2026, in my view, the stay is warranted, noting that the applicants challenge jurisdiction of the Tribunal to hear and determine the dispute giving the rise to the decision and directions being impugned in these proceedings.
8. I therefore order that the leave so granted do operate as stay of enforcement of the decision and directions of the Sports Disputes Tribunal in case No. E010/2026 rendered on 6/3/2026 until the main motion once filed is heard and determined. This matter shall be mentioned interpartes on 20/4/2026 for further directions.
9. I so order.

DATED, SIGNED & DELIVERED VIRTUALLY AT NAIROBI THIS 10TH DAY OF MARCH, 2026

R.E. ABURILI

JUDGE

