



**J.M. Ngenga & Co. Advocates v Chief Officer for Finance, Nairobi City
County (Judicial Review Miscellaneous Application E054 of 2026)
[2026] KEHC 2975 (KLR) (Judicial Review) (9 March 2026) (Ruling)**

Neutral citation: [2026] KEHC 2975 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
JUDICIAL REVIEW MISCELLANEOUS APPLICATION E054 OF 2026
RE ABURILI, J
MARCH 9, 2026**

BETWEEN

J.M. NGENGA & CO. ADVOCATES APPLICANT

AND

CHIEF OFFICER FOR FINANCE, NAIROBI CITY COUNTY RESPONDENT

RULING

1. The applicant seeks leave of court to apply for Judicial Review orders of mandamus to compel the Respondent, Chief Officer, Finance, Nairobi City County Government to settle decree and certificate of order against the Government in the sum of Kshs. 100,533,222.23 issued on 17/7/2025 being advocate/client fees awarded vide judgment of 19/12/2024 in NRB HCCOMM NO. E391/2022 J.M. Njenga & Co. Advocates LLP vs Nairobi Cit County.
2. The applicant has previously filed other similar applications which have been struck out or withdrawn owing to fatal technicalities.
3. I have perused the application and supporting statutory statement and I am satisfied that despite minor omissions including omission in the main prayer to indicate the case number in the primary suit in which the decree and order were made, the statutory statement discloses the case number as per the attached Ruling of 19/12/2024 by Prof. Dr. Nixon Sifuna J in HCCOMM E391/2022, the applicant also annexes certificate of order against the Government dated 17/7/2025 and demand dated 17/7/2025 served on 22/7/2025 and certification of taxation dated 14/7/2025 in the said HCCOMM E391/2022.
4. Accordingly, I am satisfied that the applicant has an arguable case for consideration on its merits.



5. I grant leave to the applicant to file Judicial Review proceedings as sought in prayer 1 of the chamber summons dated 2/3/2026. The applicant to cite the primary suit in which decree and certificate of order against the Government were issued.
6. The main motion to be filed and served within 21 days of today. The fees is overpaid. It shall be credited to the main motion. As the applicant has filed a miscellaneous application, the main motion to be filed and served in a fresh substantive Judicial Review File.
7. I make no orders as to costs.
8. This file is closed.

DATED, SIGNED & DELIVERED VIRTUALLY AT NAIROBI THIS 9TH DAY OF MARCH, 2026

R.E. ABURILI

JUDGE

