



**Aga Khan University Hospital Nairobi v JGK (Sued as the Next of Kin,
 Representative and Son of JGK) & another (Petition E219 of 2026)
 [2026] KEHC 4895 (KLR) (Constitutional and Human Rights) (20 April 2026) (Ruling)**

Neutral citation: [2026] KEHC 4895 (KLR)

**REPUBLIC OF KENYA
 IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
 CONSTITUTIONAL AND HUMAN RIGHTS**

PETITION E219 OF 2026

RE ABURILI, J

APRIL 20, 2026

BETWEEN

THE AGA KHAN UNIVERSITY HOSPITAL NAIROBI PETITIONER

AND

**JGK (SUED AS THE NEXT OF KIN, REPRESENTATIVE AND SON OF
 JGK) 1ST RESPONDENT**

JGK 2ND RESPONDENT

RULING

1. On 9/4/2026, this court issued directions among them, that Dr. Paul Wangai be allowed to see and review the 2nd respondent patient upon which he would give an opinion on the appropriate health facility where the 2nd respondent would be moved for further medical care.
2. Until now, Dr. Paul Wangai has not seen the patient and it is not clear as to whether he was prevented from seeing and reviewing the patient.
3. That said, the petitioners counsel has consulted his client and he has submitted before this court that all that Dr. Paul Wangai is expected to do is to see the Chief Medical Officer of the petitioner who will grant him permission plus some privacy exemptions to enable the doctor who is already in possession of clinical privileges to practice at the petitioner Hospital, to review the patient.
4. That being the case, I see no hurdle. Off course, it cannot be ignored that the patient’s hospital bill which has not been settled continues to accrue as he continues to receive medical care but that is an issue that can be resolved separately or independent of the current discussion.



5. In the circumstances, I hereby order that Dr. Paul Wangai does, and without delay, meet the Chief Medical Officer of the petitioner Hospital with a view of being granted the hospital permission and or necessary exemptions to enable him see and review the 2nd respondent and to provide his opinion on an alternative suitable health facility that the 2nd respondent patient can be moved to for further medical care.
6. Mention of this matter on 29/4/2026 to report on the progress.

DATED, SIGNED AND DELIVERED VIRTUALLY AT NAIROBI THIS 20TH DAY OF APRIL, 2026

R.E ABURILI

JUDGE

