



REPUBLIC OF KENYA



KENYA LAW
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**Njomo v Waithaka & 2 others (Election Petition Appeal
E002 of 2023) [2023] KECA 1025 (KLR) (5 June 2023) (Order)**

Neutral citation: [2023] KECA 1025 (KLR)

**REPUBLIC OF KENYA
IN THE COURT OF APPEAL AT NAIROBI
ELECTION PETITION APPEAL E002 OF 2023**

HA OMONDI, JA

JUNE 5, 2023

**IN THE MATTER OF ELECTIONS ACT 2011, THE ELECTIONS
(PARLIAMENT AND COUNTY ELECTIONS) PETITION RULES**

2017 AND

THE COURT OF APPEAL (ELECTION PETITION) RULES

2017 AND

**IN THE MATTER OF THE ELECTION FOR MEMBER OF NATIONAL
ASSEMBLY FOR KIAMBU CONSTITUENCY**

AND

**IN THE MATTER OF KIAMBU HIGH COURT ELECTION PETITION
NO.E003 OF 2022**

BETWEEN

HON. JUDE KANGETHE NJOMO APPELLANT

AND

HON. JOHN MACHUA WAITHAKA 1ST RESPONDENT

BEATRICE SAKI MULI 2ND RESPONDENT

INDEPENDENT ELECTORAL & BOUNDARIES COMMISSION

(IEBC) 3RD RESPONDENT

*(Being an appeal from the Judgment of the High Court of Kenya at Kiambu
(Ongeri, J.) dated 24th February 2023 in Election Petition No. E003 of 2022)*



ORDER

1. The appellant has not deposited security for costs. The respondents are directed under Rule 27 (2) to file and serve the relevant application and written submissions by close of business today.
2. The appellant is directed to file and serve the response and written submissions by close of business on June 6, 2023.
3. The application be listed for hearing within three days hereof.

MADE AT NAIROBI THIS 5TH DAY OF JUNE, 2023.

H. A. OMONDI

JUDGE OF APPEAL

I certify that this is a true copy of the original.

DEPUTY REGISTRAR

