



REPUBLIC OF KENYA



KENYA LAW
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**Jimale v Salat & 2 others (Civil Appeal E470 of 2022)
[2022] KECA 955 (KLR) (29 July 2022) (Judgment)**

Neutral citation: [2022] KECA 955 (KLR)

**REPUBLIC OF KENYA
IN THE COURT OF APPEAL AT NAIROBI
CIVIL APPEAL E470 OF 2022
DK MUSINGA, F SICHALE & S OLE KANTAI, JJA
JULY 29, 2022**

BETWEEN

SIYAD HUSSEIN JIMALE APPELLANT

AND

OMAR HAJI SALAT 1ST RESPONDENT

**UNITED DEMOCRATIC ALLIANCE NATIONAL ELECTION
BOARD 2ND RESPONDENT**

**INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION 3RD
RESPONDENT**

*(An appeal against the judgment & decree of the High Court of Kenya at
Nairobi (Sergon, J.) dated 19th July, 2022 in HCCA No. E499 of 2022)*

JUDGMENT

1. Upon considering the record of appeal, the oral submissions made by learned counsel, Mr Onderi for the appellant, Ms. Theuri for the 1st respondent, Ms. Rotich holding brief for Mr. Kibet for the 2nd respondent and Mr. Kamiru for the 3rd respondent,
and
2. Upon considering the written submissions thereof, the authorities cited and the law, the appeal is allowed and the judgment of the High Court (Hon. Sergon, J.) dated July 19, 2022 is hereby set aside and the judgment of the Political Parties Disputes Tribunal (PPDT) is affirmed. We make no order as to costs.

**THE REASONS FOR OUR DECISION SHALL BE GIVEN ON 21ST OCTOBER, 2022. DATED
AND DELIVERED AT NAIROBI THIS 29TH DAY OF JULY, 2022.**



D.K. MUSINGA(P)

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JUDGE OF APPEAL

F. SICHALE

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JUDGE OF APPEAL

S. ole KANTAI

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JUDGE OF APPEAL

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

Signed

DEPUTY REGISTRAR

