



**Juma v Jubilee Party of Kenya & 2 others (Civil Appeal  
E180 of 2022) [2022] KECA 798 (KLR) (29 July 2022) (Judgment)**

Neutral citation: [2022] KECA 798 (KLR)

**REPUBLIC OF KENYA  
IN THE COURT OF APPEAL AT KISUMU  
CIVIL APPEAL E180 OF 2022  
M NGUGI, LK KIMARU & JM MATIVO, JJA  
JULY 29, 2022**

**BETWEEN**

**FREDRICK WAFULA JUMA ..... APPELLANT**

**AND**

**JUBILEE PARTY OF KENYA ..... 1<sup>ST</sup> RESPONDENT**

**INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION .... 2<sup>ND</sup>  
RESPONDENT**

**NOBERT OMANYO WABWIRE ..... 3<sup>RD</sup> RESPONDENT**

*(Being an appeal from the ruling of the High Court of Kenya at Busia,  
(Karanjab, J) dated 23rd June, 2022 in High Court Petition No. 2A of 2022)*

**JUDGMENT**

1. We have considered the memorandum of appeal filed by the appellant as well as the written submissions of the parties.
2. We have also heard the oral highlights by Mr. Shabaan for the appellant, Ms. Wanjiku for the 1<sup>st</sup> respondent, Ms. Ogola for the 2<sup>nd</sup> respondent, and Mr Makokha for the 3<sup>rd</sup> respondent.
3. Having considered these submissions and the authorities cited, our decision on the appeal is that it is entirely without merit and is hereby dismissed with costs to the respondents. The reasons for the decision shall be given on 5<sup>th</sup> August, 2022.

**DATED AND DELIVERED AT KISUMU THIS 29TH DAY OF JULY, 2022.**

**MUMBI NGUGI**

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**JUDGE OF APPEAL**

**LUKA KIMARU**

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**JUDGE OF APPEAL**

**J. M. MATIVO**

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**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**

