



REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT NAIROBI
(CORAM: NAMBUYE, MUSINGA & GATEMBU , JJA)
CIVIL APPEAL NO.164 OF 2017

BETWEEN

PAMELA AWUOR OYOO.....APPELLANT

VERSUS

ORANGE DEMOCRATIC MOVEMENT 1ST RESPONDENT

VICTOR RODGERS OCHIENG.....2ND RESPONDENT

INDEPENDENT AND BOUNDARIES COMMISSION.....3RD RESPONDENT

(Appeal from the Judgment and Decree of the High Court of Kenya at Nairobi (Kimaru, J) Dated 1st June,2017

in

Election Petition No. 88 of 2017)

JUDGMENT OF THE COURT

This appeal was exhaustively argued before us by learned counsel on board for the respective parties on the 21st day of June, 2017. We have accordingly considered the record in totality, in the light of the rival submissions by the said respective learned counsel, and the authorities relied upon by either side in support of their respective submissions, and for the reasons that we shall give on the 28th July, 2017, we hereby make the following orders:

The appeal is hereby dismissed in its entirety. Each party to bear own costs.

DATED AND DELIVERED AT NAIROBI THIS 23RD DAY OF JUNE, 2017

R.N. NAMBUYE

.....

JUDGE OF APPEAL

D.K. MUSINGA

.....

JUDGE OF APPEAL

S. GATEMBU KAIRU FCIArb

.....

JUDGE OF APPEAL

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

DEPUTY REGISTRAR.