



**Republic v County Secretary-County Government of Nakuru & 3 others;  
Wachira (Ex parte Applicant) (Environment and Land Judicial Review  
Case E002 of 2025) [2025] KEELRC 2350 (KLR) (31 July 2025) (Ruling)**

Neutral citation: [2025] KEELRC 2350 (KLR)

**REPUBLIC OF KENYA  
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAKURU  
ENVIRONMENT AND LAND JUDICIAL REVIEW CASE E002 OF 2025**

**AN MWAURE, J  
JULY 31, 2025**

**BETWEEN**

**REPUBLIC ..... APPLICANT**

**AND**

**COUNTY SECRETARY-COUNTY GOVERNMENT OF NAKURU .... 1<sup>ST</sup>  
RESPONDENT**

**COUNTY EXECUTIVE COMMITTEE MEMBER IN-CHARGE OF FINANCE-  
COUNTY GOVERNMENT OF NAKURU ..... 2<sup>ND</sup> RESPONDENT**

**CHIEF OFFICER IN-CHARGE OF FINANCE – COUNTY GOVERNMENT OF  
NAKURU ..... 3<sup>RD</sup> RESPONDENT**

**COUNTY GOVERNMENT OF NAKURU ..... 4<sup>TH</sup> RESPONDENT**

**AND**

**MARY WANJIRU WACHIRA ..... EX PARTE APPLICANT**

**RULING**

1. The Applicant MARY WANJIRU WACHIRA has prayed for orders as per her application dated 29<sup>th</sup> May 2025.
  - i. That an order of mandamus do issue compelling the respondents, County Secretary - County Government of Nakuru, County Executive Committee Member In-charge of Finance County Government of Nakuru and County Government of Nakuru, Chief Officer of Finance – County Government of Nakuru and County Government of Nakuru to forthwith pay the Ex-parte Applicant the judgment debt in the sum of Kshs.2,974,636.00 plus accrued interest at 14% per annum from 6<sup>th</sup> September, 2023 until the date of full payment arising from the



decree dated 6<sup>th</sup> September, 2023 in Nakuru CM ELRC Misc. Civil Appl. No. E017 of 2021 – Mary Wanjiru Wachira vs County Government of Nakuru.

- ii. That the costs herein be borne by the Respondents
2. The Respondents have been served with the said application and affidavit of service is filed dated 4<sup>th</sup> July 2025 and also 16<sup>th</sup> July 2025. There is no response from the Respondents and no appeal against the judgment which was delivered on 6<sup>th</sup> September 2023. The court finds no valid reason to deny the Applicant the fruits of her judgment. The court therefore grants her the application as hereunder: -
- i. That an order of mandamus do issue compelling the respondents, County Secretary - County Government of Nakuru, County Executive Committee Member In-charge of Finance County Government of Nakuru and County Government of Nakuru, Chief Officer of Finance – County Government of Nakuru and County Government of Nakuru to forthwith pay the Ex-parte Applicant the judgment debt in the sum of Kshs.2,974,636.00 plus accrued interest at 14% per annum from 6<sup>th</sup> September, 2023 until the date of full payment arising from the decree dated 6<sup>th</sup> September, 2023 in Nakuru CM ELRC Misc. Civil Appl. No. E017 of 2021 – Mary Wanjiru Wachira vs County Government of Nakuru.
  - ii. That the costs herein be borne by the Respondents.
  - iii. That She is awarded the costs of the application as well.

Orders accordingly.

ORDER - Ruling read via Microsoft Teams platform.

**DATED, SIGNED AND DELIVERED VIRTUALLY AT NAKURU THIS 31<sup>ST</sup> DAY OF JULY, 2025.**

**ANNA NGIBUINI MWAURE**

**JUDGE**

ORDER

In view of the declaration of measures restricting Court operations due to the COVID-19 pandemic and in light of the directions issued by His Lordship, the Chief Justice on 15<sup>th</sup> March 2020 and subsequent directions of 21<sup>st</sup> April 2020 that judgments and rulings shall be delivered through video conferencing or via email. They have waived compliance with Order 21 Rule 1 of the Civil Procedure Rules, which requires that all judgments and rulings be pronounced in open Court. In permitting this course, this Court has been guided by Article 159(2)(d) of *the Constitution* which requires the Court to eschew undue technicalities in delivering justice, the right of access to justice guaranteed to every person under Article 48 of *the Constitution* and the provisions of Section 1B of the Civil Procedure Act (Chapter 21 of the Laws of Kenya) which impose on this Court the duty of the Court, inter alia, to use suitable technology to enhance the overriding objective which is to facilitate just, expeditious, proportionate and affordable resolution of civil disputes.

A signed copy will be availed to each party upon payment of Court fees.

**ANNA NGIBUINI MWAURE**

**JUDGE**

In the Presence of:

Court Assistant – Clinton

Mr. Mwenda for the Applicant Present



Respondent – absent

