



Langat v Governor, County Government of Bomet & 4 others (Judicial Review Application E001 of 2023) [2024] KEELRC 13211 (KLR) (26 November 2024) (Ruling)

Neutral citation: [2024] KEELRC 13211 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT KERICHO
JUDICIAL REVIEW APPLICATION E001 OF 2023**

J RIKA, J

NOVEMBER 26, 2024

BETWEEN

DICKSON KIPKORIR LANGAT APPLICANT

AND

GOVERNOR, COUNTY GOVERNMENT OF BOMET 1ST RESPONDENT

COUNTY SECRETARY, BOMET COUNTY 2ND RESPONDENT

BOMET COUNTY PUBLIC SERVICE BOARD 3RD RESPONDENT

**CHIEF EXECUTIVE COMMITTEE MEMBER OF FINANCE BOMET
COUNTY 4TH RESPONDENT**

CHIEF OFFICER FINANCE BOMET COUNTY 5TH RESPONDENT

RULING

1. There is a Judgment of the Court in this file, delivered on 6th day of February 2024.
2. Paragraph 14 of the Judgment states: -

“ I therefore allow this application as prayed, and grant the order of mandamus to issue against the Respondents, to compel them to proceed and pay out the decretal sum of Kshs. 207,200, being costs in Kericho E&RLC Cause No.1 of 2018 together with interest accrued from the date of this order.”
3. It is not clear from the record, if what was before the Court, was the application for leave to initiate proceedings for judicial review, or the substantive application seeking the order of mandamus.
4. There is no ruling or an order for leave to initiate judicial review, but a full Judgment, granting the order of mandamus.



5. The file number in the Applicant's closing submissions, is indicated to be JR Application No. E001 of 2023.
6. The Judgment of the Court above notwithstanding, the Applicant filed another application dated 7th February 2024, asking the Court to issue the same orders already granted in the Judgment, to wit:

“That the Honourable Court may be pleased to issue an order of mandamus, against the 1st, 2nd and 3rd Respondents, compelling them to proceed and pay out the decretal sum of Kshs. 207,200 together with interest and court rates, from the date of decree.”
7. The Applicant filed submissions dated 29th April 2024, repeating the same prayer, already granted in the Judgment on record.
8. How many Judgments or Rulings should the Court write, reissuing the same orders?
9. The Court is not able to reissue the same orders, granted on 6th February 2024. The order of mandamus sought has already been issued, albeit not in circumstances which are clear to this Court. All the Applicant is required to do, is execute the Judgment obtained on 6th February 2024, instead of returning to Court and asking for the same orders.

It Is Ordered: -

- a. The Application dated 7th February 2024 is declined.
- b. No order on the costs.

DATED, SIGNED AND DELIVERED ELECTRONICALLY AT KERICHO, UNDER PRACTICE DIRECTION 6 [2] OF THE ELECTRONIC CASE MANAGEMENT PRACTICE DIRECTIONS 2020, THIS 26TH DAY OF NOVEMBER 2024.

JAMES RIKA

JUDGE

