



**Maritim v Governor, County Government of Bomet & 4 others (Judicial Review Application E002 of 2023) [2024] KEELRC 13204 (KLR) (26 November 2024) (Ruling)**

Neutral citation: [2024] KEELRC 13204 (KLR)

**REPUBLIC OF KENYA  
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT KERICHO  
JUDICIAL REVIEW APPLICATION E002 OF 2023**

**J RIKA, J**

**NOVEMBER 26, 2024**

**BETWEEN**

**RICHARD KIMUTAI MARITIM ..... APPLICANT**

**AND**

**GOVERNOR, COUNTY GOVERNMENT OF BOMET ..... 1<sup>ST</sup> RESPONDENT**

**COUNTY SECRETARY, BOMET COUNTY ..... 2<sup>ND</sup> RESPONDENT**

**BOMET COUNTY PUBLIC SERVICE BOARD ..... 3<sup>RD</sup> RESPONDENT**

**CHIEF EXECUTIVE COMMITTEE MEMBER OF FINANCE BOMET  
COUNTY ..... 4<sup>TH</sup> RESPONDENT**

**CHIEF OFFICER FINANCE BOMET COUNTY ..... 5<sup>TH</sup> RESPONDENT**

**RULING**

1. There is a Judgment of the Court in this file, delivered on 6<sup>th</sup> day of February 2024.
2. Paragraph 15 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 pay the decretal sum of Kshs. 187,078, being costs in Kericho E&RLC Cause No.111 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, and no order of the Court, on leave to initiate judicial review proceedings.



5. The Judgment of the Court above notwithstanding, the Applicant filed another application dated 7<sup>th</sup> 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 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Respondents, compelling them to proceed and pay out the decretal sum of Kshs. 187,078 together with interest and court rates, from the date of decree.”

6. The Applicant filed submissions dated 29<sup>th</sup> April 2024, repeating the same prayer, already granted in the Judgment on record.

7. The submissions indicate the JR Application as No. E002 of 2023.

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 6<sup>th</sup> 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 6<sup>th</sup> February 2024, instead of returning to Court and asking for the same orders.

It is ordered: -

- a. The Application dated 7<sup>th</sup> 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 26<sup>TH</sup> DAY OF NOVEMBER 2024.**

**JAMES RIKA**

**JUDGE**

