



REPUBLIC OF KENYA

IN THE EMPLOYMENT & LABOUR RELATIONS

COURT OF KENYA AT NAIROBI

PETITION NO. E083 OF 2020

**IN THE MATTER OF: DENIAL OF RIGHTS, VIOLATION AND INFRINGEMENT OF ARTICLES 1, 22, 23, 28, 41, 47, 48, 50
AND 258 OF THE CONSTITUTION OF KENYA, 2010**

AND

IN THE MATTER OF: SECTIONS 3, 4 & 12 OF FAIR ADMINISTRATIVE ACTIONS ACT, NO. 4 OF 2015

AND

IN THE MATTER OF: THE OFFICE OF THE DIRECTOR OF PUBLIC

PROSECUTIONS ACT

AND

**IN THE MATTER OF: RULES 7 AND 17 OF THE EMPLOYMENT AND LABOUR RELATIONS COURT (PRACTICE AND
PROCEDURE RULES, 2016)**

AND

IN THE MATTER OF: RULES 3(4), 4, 11, 13, 19 AND 23 OF THE

CONSTITUTION OF KENYA

AND

IN THE MATTER OF: GUIDELINES ON THE BOND FOR TRAINING PUBLIC SERVANTS, 2018

AND

IN THE MATTER OF: THE ODPP HUMAN RESOURCE MANUAL, 2013

BETWEEN

JAMES MURIITHI NJOGU.....PETITIONER

VERSUS

THE OFFICE OF THE DIRECTOR OF

PUBLIC PROSECUTIONS ADVISORY BOARD.....RESPONDENT

RULING

1. As the Respondent seeks to re-open the matter and given the advanced stage of proceedings, the Petitioner may respond to the Motion by the Respondent/Applicant within the next 14 days. This is despite the acknowledgment that the submissions were filed by the Respondents.

In the premises tomorrow's mention is deferred pending the resolution of the Respondents' Notice of Motion application.

2. The Petitioner is at liberty to file the Response within 14 days and a mention will be set before the Deputy Registrar of this Court on 12th August, 2021 to confirm filing of the said response. I will hear the application in the new term on 20th September, 2021. Directions will follow after the hearing on 20th September, 2021 in regard to the Petition's disposal once Motion is heard.

It is so ordered.

DATED AND DELIVERED AT NAIROBI THIS 27TH DAY OF JULY 2021

Nzioki wa Makau

JUDGE