



Nesbitt v Director of Public Prosecutions & another (Judicial Review Application E013 of 2025) [2025] KEHC 345 (KLR) (Judicial Review) (24 January 2025) (Ruling)

Neutral citation: [2025] KEHC 345 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
JUDICIAL REVIEW APPLICATION E013 OF 2025
RE ABURILI, J
JANUARY 24, 2025**

BETWEEN

NICHOLAS ALEXANDER NESBITT APPLICANT

AND

DIRECTOR OF PUBLIC PROSECUTIONS 1ST RESPONDENT

DIRECTORATE OF CRIMINAL INVESTIGATIONS 2ND RESPONDENT

RULING

1. I have considered the Notice of Motion dated 23/1/2025 accompanying the Originating Motion dated 23/1/2025, the grounds and supporting affidavit together with the annexures thereto.
2. I observe that upon filing of the Originating Summons and the Notice of Motion, the applicant filed notice of withdrawal of the application dated 23/1/2025 against the Respondents in its entirety and with no orders as to costs as it is a similar matter with one filed before Justice Chigiti SC.
3. Accordingly, I hereby mark the Originating Motion and Notice of Motion dated 23/1/2025 as wholly withdrawn with no orders as to costs and this file is closed.
4. The Ruling to be typed and uploaded in the e-portal and the applicant to be notified via email.
5. I so order.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 24TH DAY OF JANUARY, 2025.

R.E. ABURILI

JUDGE

