



**Okoti & another v Kenyatta & 4 others; Odhiambo & 2 others
(Interested Parties) (Petition 531 of 2015) [2025] KEHC 3931 (KLR)
(Constitutional and Human Rights) (27 March 2025) (Ruling)**

Neutral citation: [2025] KEHC 3931 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CONSTITUTIONAL AND HUMAN RIGHTS
PETITION 531 OF 2015
RE ABURILI, JM CHIGITI & LN MUGAMBI, JJ
MARCH 27, 2025**

BETWEEN

OKIYA OMTATAH OKOITI 1ST PETITIONER

NYAKINA WYCLIFFE GISEBE 2ND PETITIONER

AND

PRESIDENT UHURU MUGAI KENYATTA 1ST RESPONDENT

DEPUTY PRESIDENT WILLIAM SAMOEI RUTO 2ND RESPONDENT

TREASURY CABINET SECRETARY HENRY ROTICH 3RD RESPONDENT

TREASURY PRINCIPAL SECRETARY KAMAU THUGGE ... 4TH RESPONDENT

THE HON. ATTORNEY GENERAL 5TH RESPONDENT

AND

CONTROLLER OF BUDGET AGNES ODHIAMBO INTERESTED PARTY

CBK GOVERNOR PATRICK NGUGI NJOROGE INTERESTED PARTY

AUDITOR GENERAL EDWARD OUKO INTERESTED PARTY

RULING

1. The court observes that the Petitioners were granted leave of court to amend their Petition on 5/3/2024 by Hon. Mr. Justice E. C. Mwita. The order granting leave to amend the Petition was clear that the Petition be amended and be served within & a period of 21 days from the date of the order for leave;



upon which the respondents would have 21 days after service to file and serve responses to the amended petition if need be.

2. The court also gave directions on the filing of written submissions to canvass the main Petition. However, the Petitioners only filed the amended Petition after ten (10) months, on 31/1/2025.
3. We asked the Petitioners to give the reasons for the inordinate delay but they seem not to have the reasons at hand. They only seek that the petition as amended be deemed to be duly filed. The Respondents oppose that oral application.
4. We have considered both parties' positions on the matter. We direct that the petitioner's file a formal application for enlargement of time and explaining the delay for consideration by this bench, on its merit.
5. The application to be filed and served within the next ten (10) days of today upon which the Respondents & Interested Parties who are the original respondents to the petition shall have corresponding ten (10) days of the date of service to file and serve their responses to the application.
6. Thereafter, the petitioners shall have 7 days of the date of service to file and serve their submissions upon the Respondents & Interested Parties shall have 7 days of date of service to file and serve written submissions.
7. Mention on 24/4/2025 to fix a Ruling date. Each of the parties to file not more than three pages of the written submissions.
8. We so order.

DATED, SIGNED AND DELIVERED AT NAIROBI VIRTUALLY THIS 27TH DAY OF MARCH, 2025.

R.E. ABURILI

JUDGE

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J. CHIGITI (SC)

JUDGE

.....

L. MUGAMBI

JUDGE

