



**Principal Secretary/Accounting Officer Ministry of Defence & another v Public Procurement Administrative Review Board; Sirketi & another (Interested Parties) (Judicial Review Application E002 of 2025) [2025] KEHC 9442 (KLR) (Judicial Review) (30 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 9442 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

**JUDICIAL REVIEW**

**JUDICIAL REVIEW APPLICATION E002 OF 2025**

**RE ABURILI, J**

**JUNE 30, 2025**

**BETWEEN**

**THE PRINCIPAL SECRETARY/ACCOUNTING OFFICER MINISTRY OF DEFENCE ..... 1<sup>ST</sup> APPLICANT**

**MINISTRY OF DEFENCE ..... 2<sup>ND</sup> APPLICANT**

**AND**

**PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD ..... RESPONDENT**

**AND**

**SUMMA TURIZM YATIRIMCILIGI ANONIM SIRKETI . INTERESTED PARTY  
MINISTRY OF GENDER, CULTURAL, THE ARTS & HERITAGE ..... INTERESTED PARTY**

**RULING**

1. On 9/1/2025, the court gave directions in this matter which was not filed under the recess Rules, directing the applicant to file the matter or comply with the recess Rules. The chamber summons dated 8/1/2025 was filed under certificate of urgency, seeking leave of court to apply for Judicial Review orders challenging the decision of the Public Procurement Administrative Review Board made on 23/12/2024 in request for review No.119/2024 filed on 2/12/2024.
2. The applicant has not filed any proceedings or complied with the recess Rules as directed by the court. These being public procurement proceedings, the law, under Section 175 of the Public Procurement &



Asset Disposal Act provides for a timeline of 45 days from date of filing for Judicial Review application, for the decision to be rendered.

3. As the 45 days are over without the applicant moving the court to consider the merits of the application for leave and with no substantive motion filed, the matter is spent and the chamber summons dated 8/1/2025 be and is hereby struck out with no orders as to costs.
4. This file is closed.

**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 30<sup>TH</sup> DAY OF JUNE, 2025.**

**R.E. ABURILI**

**JUDGE**

