



**Pel Travelers Limited v County Secretary, County Government of Nyamira & 2 others  
(Judicial Review E015 of 2024) [2024] KEHC 7964 (KLR) (27 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 7964 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
JUDICIAL REVIEW E015 OF 2024  
RE ABURILI, J  
JUNE 27, 2024**

**IN THE MATTER OF AN APPLICATION BY PEL TRAVELS LIMITED**

**AND**

**IN THE MATTER OF AN APPLICATION FOR  
JUDICIAL REVIEW BY WAY OF MANDAMUS**

**AND**

**IN THE MATTER OF SECTION 2, 103, 147 & 148 OF  
THE PUBLIC FINANCE MANAGEMENT ACT, 2012**

**AND**

**IN THE MATTER OF SECTION 44 & 45 OF THE COUNTY GOVERNMENT ACT, 2012**

**AND**

**IN THE MATTER OF GOVERNMENT  
PROCEEDINGS ACT, CHAPTER 40, LAWS OF KENYA**

**AND**

**IN THE MATTER OF ARTICLES 10, 23 & 47 OF THE CONSTITUTION OF KENYA**

**BETWEEN**

**PEL TRAVELERS LIMITED ..... APPLICANT**

**AND**

**THE COUNTY SECRETARY, COUNTY GOVERNMENT OF  
NYAMIRA ..... 1<sup>ST</sup> RESPONDENT**

**THE COUNTY EXECUTIVE MEMBER FOR FINANCE COUNTY  
GOVERNMENT OF NYAMIRA ..... 2<sup>ND</sup> RESPONDENT**

**THE COUNTY GOVERNMENT OF NYAMIRA ..... 3<sup>RD</sup> RESPONDENT**



## RULING

1. I have considered the Exparte Chamber Summons dated 18<sup>th</sup> June 2024. The Applicant seeks leave of court to institute Judicial Review Proceedings seeking for orders of Mandamus to issue against the Respondent County Government of Nyamira compelling the Respondent to settle decree in Kisumu CMCC no. 252 of 2021 between the parties hereto.
2. I have perused the grounds, affidavit in support, verifying the facts and statements of facts and annextures.
3. I am satisfied that the orders sought are merited. I hereby grant prayer 1 of the Chamber Summons dated 18<sup>th</sup> June 2024.
4. Costs shall be in the main Notice of Motion which shall be filed and served within 21 days of today.
5. This Ruling, setting out the entire prayer 1 of the Chamber Summons to be typed and uploaded on the CTS. The Applicant's counsel to be notified via email, pending the typing and uploading of the Ruling and order.
6. This file is effectively closed and shall only be placed in the substantive Notice of Motion file once the latter is filed.
7. File closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 27<sup>TH</sup> DAY OF JUNE, 2024**

**R. E. ABURILI**

**JUDGE**

