



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT ELDORET**

**Miscellaneous Civil Application 1 of 2010**

**REPUBLIC ..... APPLICANT**

**VERSUS**

**MUNICIPAL COUNCIL OF ELDORET ..... RESPONDENT**

**AND**

**JOHN KIPKOSGEI KIRUI**

**& 22 OTHERS ..... EX PARTE APPLICANTS**

**RULING**

The application before me is brought under Section 8 and 9 of the Law Reform Act and order LIII Rules 12 and 3 of the Civil Procedure Rules seeking orders that the applicant be granted leave to apply for orders of judicial review. The application is grounded upon the matters set out in supporting affidavit. Statutory statement and the annexed verifying affidavit of John Kipkosgei Kirui together with the Notice to the Registrar.

Having considered the application the supporting affidavit, the statutory statement, the verifying affidavit and the submissions by Counsel I am persuaded that this application is meritorious and the same is allowed in terms of prayers (i), (ii) and (iii). The applicant to file substantive application within twenty one (21) days from the date of the ruling.

Orders accordingly.

**DELIVERED AND DATED AT ELDORET THIS 10<sup>TH</sup> DAY OF FEBRUARY, 2010.**

**J. L. A. OSIEMO**

**JUDGE**



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