

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
THE CONSTITUTIONAL & HUMAN DIVISION
PETITION NO. 151 OF 2020.

IN THE MATTER OF THE CONSTITUTION UNDER ARTICLES 3, 10, 19, 20, 22 AND 28 OF THE CONSTITUTION OF KENYA.

AND

IN THE MATTER OF ALLEGED VIOLATION OF ARTICLES 19, 21, 28, 29, 31, 39, 43, 47, 51 AND 53 OF THE CONSTITUTION OF KENYA, 2010.

AND

IN THE MATTER OF ALLEGED VIOLATION OF SECTION 8(6) OF THE PUBLIC ORDER ACT, CAP 56 OF THE LAWS OF KENYA.

AND

IN THE MATTER OF ALLEGED VIOLATION OF SECTION 4 AND 5 OF THE ACCESS TO INFORMATION ACT, NO. 31 OF 2016.

AND

IN THE MATTER OF ALLEGED VIOLATION OF SECTION 4 AND 5 OF THE FAIR ADMINSTRATIVE ACTION ACT NO 4 OF 2015.

AND

IN THE MATTER OF CONTRAVENTION OF THE PUBLIC HEALTH (COVID 19 RESTRICTION OF MOVEMENT OF PERSONS AND OTHER RELATED MEASURES) RULES, 2010 AND PUBLIC HEALTH ACT (PREVENTION, CONTROL AND SUPPRESION OF COVID 19) REGULATIONS, 2020.

BETWEEN

C.M (Suing on her behalf of	
PM (Minor) as parent.....	1 ST PETITIONER.
M.O.A.....	2 ND PETITIONER.
M.O.	3 RD PETITIONER.
M.W.M.	4 TH PETITIONER.
K.F.	5 TH PETITIONER.
F.A.	6 TH PETITIONER.
K.B.	7 TH PETITIONER.
KENYA LEGAL & ETHICAL ISSUES.	8 TH PETITIONER.
NETWORK ON HIV & AIDS (KELIN)	9 TH PETITIONER.
KATIBA INSTITUTE)	10 TH PETITIONER.

VERSUS

HON. ATTORNEY GENERAL.....1ST RESPONDENT.
THE CABINET SECRETARY, HEALTH.....2ND RESPONDENT.
THE CABINET SECRETARY, INTERIOR AND
CORDINATION OF NATIONAL GOVERNMENT.....3RD RESPONDENT.

AND

M/S INDEPENDENT MEDICO-LEGAL UNIT(IMLU).....INTERESTED PARTY.
DR. MARGARET OTHIENO MAKAYIENGO.....1ST AMICUS CURIEA
INTERNATIONAL COMMISSION OF JURISTS
(ICJ), KENYA).....2ND AMICUS CURIEA.

IN COURT ON 30TH NOVEMBER 2020
BEFORE HON. MR. JUSTICE J. A. MAKAU(ELECTRONICALLY)
ORDER

THIS MATTER coming up for mention to confirm compliance On 30th November 2020 Before Hon. Mr. Justice J. A. Makau **AND UPON HEARING** the Counsel for the 1st to 9th Petitioners, Counsel for the 2nd and 3rd Respondents, Counsel for the 1st Interested Party and counsel for the 1st and 2nd Amicus curiae **AND WHEREAS THIS MATTER** is coming up for hearing in Court electronically:

IT IS HEREBY ORDERED;

1. **THAT** the 1st and 2nd amicus curiae to file the submissions within 14 (Fourteen) days from today and effect service thereto.
2. **THAT** the interested party is granted 7(Seven) days from today to put on record their response and submissions.
3. **THAT** the Respondents are granted 14 (Fourteen) days from today to file their responses, the Petitioners are at liberty to file further affidavit together with submissions within 14 (Fourteen) days from the date of service with Respondents' responses and serve within the said period.
4. **THAT** the Respondents to file submissions in response within 14 (Fourteen) days from the date of service with petitioner's submissions.
5. **THAT** mention on 2nd March, 2021 to confirm compliance.

GIVEN under my Hand and the Seal of this Honorable Court this 30th day of November 2020.

ISSUED at Nairobi this.....1st.....day of.....December.....2020.



DEPUTY REGISTRAR.

CONSTITUTION AND HUMAN RIGHTS DIVISION.
HIGH COURT OF KENYA, NAIROBI.

- *Petition*
151/2020

DEPUTY REGISTRAR
HIGH COURT OF KENYA
MILIMANI - NAIROBI