

REPUBLIC OF KENYA
IN THE SUPREME COURT OF KENYA AT NAIROBI
(Coram: Mutunga, CJ & P; Ibrahim, SCJ)

PETITION NO. 14 OF 2014

AS CONSOLIDATED WITH PETITION NO. 14 A OF 2014;

PETITION NO. 14B OF 2014;

AND

PETITION NO. 14C OF 2014

BETWEEN

- 1. COMMUNICATIONS COMMISSION OF KENYA...**
- 2. THE HON. ATTORNEY GENERAL.....**
- 3. THE MINISTRY OF INFORMATION
COMMUNICATIONS AND TECHNOLOGY.....**
- 4. SIGNET KENYA LIMITED.....**
- 5. PAN AFRICAN NETWORK GROUP KENYA
LIMITED.....**
- 6. STARTIMES MEDIA LIMITED.....**

APPELLANTS

AND

- 1. ROYAL MEDIA SERVICES LIMITED.....**
- 2. NATION MEDIA SERVICES LIMITED.....**
- 3. STANDARD MEDIA GROUP LIMITED.....**
- 4. CONSUMER FEDERATION OF KENYA
(COFEK).....**
- 5. GOTV KENYA LIMITED.....**
- 6. WEST MEDIA LIMITED.....**

RESPONDENTS

R U L I N G

After hearing all parties and their submissions on this application by Channel Forty Three Media Company Limited to be enjoined in this Petition as an interested party we rejected the application and now give our reasons:

The applicant was not a party to these proceedings in the Supreme Court and the matter in issue now is clearly one of compliance with this Court's Judgment of September 29, 2014. The applicant has come too late in these proceedings. The application may also result in unnecessary delays of focusing on the core matter of seeking compliance with the orders of this court.

The reasons for this application are that the applicant continues to suffer as a result of these continued interlocutory orders to which the applicant was not a party. The application can set a dangerous precedent of raising other causes of action through such an application as this in the future.

There will be no orders as to costs of the application.

DATED and DELIVERED at NAIROBI this 5th day of January, 2015.

.....
W. M. MUTUNGA
CHIEF JUSTICE & PRESIDENT
OF THE SUPREME COURT

.....
M.K. IBRAHIM
JUSTICE OF THE SUPREME COURT

**I certify that this is a true copy
of the original**

REGISTRAR
SUPREME COURT OF KENYA