

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
PETITION NO. 39 OF 2017

IN THE MATTER OF ARTICLE 10, 27, 40 & 201 OF THE CONSTITUTION

IN THE MATTER OF THE ALLEGED CONTRAVENTION OF FUNDAMENTAL RIGHTS AND
FREEDOMS

UNDER ARTICLE 27, 40, AND 201 OF THE CONSTITUTION OF KENYA
IN THE MATTER OF INCOME TAX ACT

IN THE MATTER OF THE FINANCE ACT 2015
AND

BETWEEN

THE LAW SOCIETY OF KENYA.....PETITIONER
VERSUS
THE KENYA REVENUE AUTHORITY.....1ST RESPONDENT
THE HONOURABLE ATTORNEY GENERAL.....2ND RESPONDENT

IN CHAMBERS ON 10TH FEBRUARY, 2017
BEFORE HONOURABLE MR. JUSTICE J. M. MATIVO

ORDER

UPON READING the Notice of Motion Application dated 8th February 2017 and presented to this Court on the same day by Counsel for the Petitioner Under Article 22 and 23 of the Constitution, Rules 10(1) and (2), 19 and 23(1) of the Constitution of Kenya (Protection of Rights and Fundamental Freedoms) Practice and Procedure Rules, 2013 Rules 2013 AND UPON READING the Affidavit in Support of **MERCY K. WAMBUA** sworn on 8th February, 2017 together with the annexures thereto AND WHEREAS this matter coming up ex-parte before the Hon. Mr. Justice J. M. Mativo in Chambers;

IT IS HEREBY ORDERED:

1. THAT the Application dated 8th February, 2017 be and is hereby certified as urgent and the same be admitted for hearing on a priority basis.
2. THAT a conservatory order be and is hereby issued restraining the 1st Respondent herein by itself, agents, servants or employees from implementing the provisions of paragraph 11A of the Eighth Schedule to the income Tax pending the hearing and determination of the application inter partes.
3. THAT the Petitioner/Applicant be and is hereby directed to serve the said application and all the suit papers for inter partes hearing on 22nd February, 2017.

GIVEN under my Hand and Seal of this Honourable Court this 10th day of February, 2017

ISSUED at NAIROBI on the13th..... day ofFebruary....., 2017


DEPUTY REGISTRAR
HIGH COURT OF KENYA AT NAIROBI

I CERTIFY THIS IS TRUE COPY OF THE ORIGINAL DATED:13/02/17..... DEPUTY REGISTRAR HIGH COURT OF KENYA NAIROBI
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