TYPES OF CASES HANDLED IN THE HIGH COURT SYTEM

Kenya Law Reports publishes decisions from the superior courts, Kadhi courts, and some tribunals.

Cases from lower courts (Magistrates) are not published.

# CRIMINAL CASES:

## Murder cases

* [Republic v Alice Nyabonyi Ondiba [2021] eKLR](http://kenyalaw.org/caselaw/cases/view/215494/)
* [Republic v Emmanuel Otieno Pamba [2019] eKLR](http://kenyalaw.org/caselaw/cases/view/182941/)
* [Republic v Henry Obisa Auko [2018] eKLR](http://kenyalaw.org/caselaw/cases/view/156909/)
* [Republic v Abdulahi Noor Mohamed (alias Arab) [2016] eKLR](http://kenyalaw.org/caselaw/cases/view/125467/)

## Applications include:

1. application for bail and bond,

* [Cyril Kipruto Serem v Republic [2020] eKLR](http://kenyalaw.org/caselaw/cases/view/202173/)
* [Republic v Sabit Mamuor Deng & another [2020] eKLR](http://kenyalaw.org/caselaw/cases/view/200990/)
* [Republic v Naomi Nechesa Sanya & another [2020] eKLR](http://kenyalaw.org/caselaw/cases/view/196623/)
* [Kigoro Machoro v Republic [2019] eKLR](http://kenyalaw.org/caselaw/cases/view/174004/)

1. application for leave to appeal out of time,

* [Republic v Devraj Manji Sergani & 3 others [2018] eKLR](http://kenyalaw.org/caselaw/cases/view/162236)
* [Silas Okumu Diang’a/ODPP v George Anyona Arek [2020] eKLR](http://kenyalaw.org/caselaw/cases/view/199777/)
* [Charles Keago Areba v Republic [2007] eKLR](http://kenyalaw.org/caselaw/cases/view/44731/index.html)
* [Kenneth Kipngetich Kirui v Republic [2009] eKLR](http://kenyalaw.org/caselaw/cases/view/60958)

1. application for stay of proceedings in the lower court,

* [Ian Gakoi Maina & 3 others v Republic & another [2020] eKLR](http://kenyalaw.org/caselaw/cases/view/192914)
* [Raymond Kipchirchir Cheruiyot & another v Republic [2021] eKLR](http://kenyalaw.org/caselaw/cases/view/212808/)
* [Prasul Jayantilal Shah v Republic; Joseph Karuoro Claudio (Interested Party) [2022] eKLR](http://kenyalaw.org/caselaw/cases/view/230174/)
* [Manilal Jamnandas Ramji Gohil v Director of Public Prosecution [2014] eKLR](http://kenyalaw.org/caselaw/cases/view/95402)

1. application for anticipatory bail,

* [Paul Ole Kuyana & another v Director of Public Prosecution & 2 others [2021] eKLR](http://kenyalaw.org/caselaw/cases/view/215809/)
* [Patel Ravji Ralji & another v Director of Public Criminal Investigation & 2 others [2020] eKLR](http://kenyalaw.org/caselaw/cases/view/203394)
* [Peter Mutua Kanyi v Director of Public Prosecutions & 2 others [2019] eKLR](http://kenyalaw.org/caselaw/cases/view/166809)
* [Samuel Muciri W’Njuguna v Republic [2004] eKLR](http://kenyalaw.org/caselaw/cases/view/11504)

1. An application for the issue of directions in the nature of habeas corpus

* It's more of a constitutional issue than a criminal issue (Gray area)

## Appeals and Revisions from the decisions of the Magistrates’ Courts and Court Martial trials.

1. Appeals

* [Benson Ouma Oudia v Republic [2020] eKLR](http://kenyalaw.org/caselaw/cases/view/202165/)
* [Peter Muriungi Kirii v Republic [2021] eKLR](http://kenyalaw.org/caselaw/cases/view/220107)
* [G O v Republic [2017] eKLR](http://kenyalaw.org/caselaw/cases/view/133953)
* [Joseph Waruinge Njenga v Republic [1980] eKLR](http://kenyalaw.org/caselaw/cases/view/36667/)

1. Revisions

* [Newton Mwiti v Republic [2021] eKLR](http://kenyalaw.org/caselaw/cases/view/215532/)
* [DPP v Jackson Cherono [2019] eKLR](http://kenyalaw.org/caselaw/cases/view/172302)
* [Director of Public Prosecution v Joseph Murimi Mugweru [2020] eKLR](http://kenyalaw.org/caselaw/cases/view/205456/)
* [Republic v John Wambua Munyao & 3 others [2018] eKLR](http://kenyalaw.org/caselaw/cases/view/164077/)

## Treason

# CIVIL CASES

Civil cases include the following:

## Contract and Tenancies

1. Contracts

* [Latimer Ruguaru Gacanja (Trading as Zoea Transporters Limited) v Trustees of the Lutheran World Federation [2021] eKLR](http://kenyalaw.org/caselaw/cases/view/224987/)
* [Raindrops Limited v County Government of Kilifi [2021] eKLR](http://kenyalaw.org/caselaw/cases/view/215960)
* [Albert Cheboi & Ianother v Insurance Regulatory Authority [2020] eKLR](http://kenyalaw.org/caselaw/cases/view/203134/)
* [Jamuto Enterprises Limited v County Government of Meru [2021] eKLR](http://kenyalaw.org/caselaw/cases/view/217596)

1. Tenancies

* [Ram International Limited v Maasai Mara University [2021] eKLR](http://kenyalaw.org/caselaw/cases/view/216268/)
* [Risper Kerubo Onsare v Vijay Kumar Saidha & 2 others [2021] eKLR](http://kenyalaw.org/caselaw/cases/view/217214/)
* [Pickwell Properties Limited v Kenya Commercial Bank Limited [2013] eKLR](http://kenyalaw.org/caselaw/cases/view/87705)

## Tort -Defamation, Nuisance, Negligence, Trespass, running down/accident cases etc.

* [Abdi Mohamed Farah v Nairobi Star Publication Ltd & another [2015] eKLR](http://kenyalaw.org/caselaw/cases/view/113994/)
* [LWW (Suing as the Administrator of the estate of BMN) deceased v Charles Githinji [2019] eKLR](http://kenyalaw.org/caselaw/cases/view/179489/)
* [Christine Mwigina Akonya v Samuel Kairu Chege [2017] eKLR](http://kenyalaw.org/caselaw/cases/view/145796/)
* [Nakuru Industries Limited v S S Mehta & Sons [2016] eKLR](http://kenyalaw.org/caselaw/cases/view/129666)

## Miscellaneous Civil Applications such as:

* Taxation.
* Registration of foreign judgments and Arbitration Awards.
* Application for leave to appeal out of time.
* Application for transfer of cases from magistrates Courts
* Application to stay proceedings in the lower court
* Application for reinstatement of cases

## Appeals from Subordinate Courts and Tribunals. e.g., Rent Restriction and Business Premises Rent Tribunals, Provincial Appeals Committee, Alcoholic Drinks Control Licensing Committees, Co-operative Tribunals, etc.

* [Rift Valley Railways v Peter Mathenge Githigaro [2021] eKLR](http://kenyalaw.org/caselaw/cases/view/222460/)
* [Daniel Musau Mbithi v Rael Kavuli Munyao & another; Timothy Ngila Nzuki & 6 others (Interested parties) [2021] eKLR](http://kenyalaw.org/caselaw/cases/view/210873/)
* [South Nyanza Sugar Co. Ltd v Hilary M. Marwa [2017] eKLR](http://kenyalaw.org/caselaw/cases/view/139140)
* [Moi’s Bridge Quarry Limited v Martin Omuse Edoan [2022] eKLR](http://kenyalaw.org/caselaw/cases/view/227495/)
* [Alfayo Nyairo v Nyabomite Farmers Co-op Society Limited [2021] eKLR](http://kenyalaw.org/caselaw/cases/view/215432/)
* [Mary Wambura Nguru t/a Double Bar & Restaurant and Cool Breeze & another v Mathira East Alcoholic Drinks Regulation Committee & another [2016] eKLR](http://kenyalaw.org/caselaw/cases/view/120365)

## Disputes related to leadership in Churches, Sports Association, Professional bodies, Clubs.

* [Board of Trustees of African Independent Pentecostal Church of Africa Church v Peter Mungai Kimani & 12 others [2014] eKLR](http://kenyalaw.org/caselaw/cases/view/106058)

# COMMERCIAL & TAX CASES

These cases include:

* cases arising from company matters
* Insolvency Cases
* Intellectual property matters
* Arbitration matters other than enforcement of awards
* Claim for recovery of certain debts due to banks and other financial institutions
* Tax matters
* Matters arising out of the ordinary transactions of merchants and traders
* Any cause relating to the construction of a mercantile document,
* the export or import of merchandise in freight,
* insurance, banking mercantile agency and mercantile usage.
* Appeal Matters

# CONSTITUTIONAL AND HUMAN RIGHTS CASES

These are cases related to denial, violation, infringement, or threat of Human Rights or fundamental freedoms under the Provision of the Constitution of Kenya 2010; cases related to the enforcement of the Constitution and construing the Constitution; election petitions.

# JUDICIAL REVIEW CASES

Matters brought by way of applications seeking orders of mandamus, prohibition or certiorari for stay of proceedings, removal of any judgment, order, Decree, conviction or other proceedings for the purposes of being quashed.

# FAMILY MATTERS

The Family Court handles the following matters;

1. Probate and Administration matters governed by the Law of Succession Act;
2. Adoption cases and children related matters under the Children Act;
3. Divorce matters under the Marriage Act, Cap 150;
4. Disputes relating to matrimonial property;
5. Appeals from the Children Court and the divorce related matters from the magistrate’s courts;
6. Miscellaneous applications.

# CHILDREN MATTERS (Magistrates’ courts empowered to handle children matters)

Matters that relate to parental responsibility, fostering, custody, maintenance, guardianship, care and protection of children and children in conflict with the law.

# SPECIAL CONSTITUTIONAL COURTS THAT HAVE THE SAME STATUS AS THE HIGH COURT

1. Environment and Land Court
2. Employment and Labour Relations Court

## ENVIRONMENT AND LAND MATTERS

Environment and Land matters include disputes arising from:

1. Environment planning and protection, climate issues, land use planning, title, tenure, boundaries, rates, rents, valuations, mining minerals and other natural resources.
2. Compulsory acquisition of land;
3. Land administration and management;
4. Public, private and community land and contracts, choses in action or other instruments
5. Any other dispute relating to environment and land.
6. The Environment and Land Court also has powers to determine applications for redress
7. The court too is the appellate court over the decisions of magistrates’ courts; Land acquisition tribunal and the National Environment Tribunal in respect of matters falling within the jurisdiction of the Court.

## EMPLOYMENT AND LABOUR RELATIONS COURT

The matters handled relate to employment and labour relations under the Labour Relations Act, Employment Act, Labour Institutions Act, Occupational Health Act; Appeals from Magistrate courts that touch on employment and labour relations; Appeals from registrar of trade unions; Registration of Collective Bargaining Agreements