

Case ID: [2026] KEHC 154 (KLR) Copy

Title: Board of Directors Vetlab Sports Club & 9 others v Ouko & another; Directorate of Veterinary Services & 2 others (Interested Parties) [2026] KEHC 154 (KLR) Copy

Court: High Court

Judges: Sifuna Nixon

Date: 20 January 2026

Parties: Board of Directors Vetlab Sports Club & 9 others v Ouko & another; Directorate of Veterinary Services & 2 others (Interested Parties) [2026] KEHC 154 (KLR) Copy

---- JUDGMENT TEXT ----

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CIVIL DIVISION

CIVIL CASE NO. E320 OF 2025

THE BOARD OF DIRECTORS VETLAB SPORTS CLUB.....1ST PLAINTIFF

JOHN KARIUKI (SENIOR VICE CHAIRPERSON).....2ND PLAINTIFF

ERIC KARUGA (GOLF CAPTAIN).....3RD PLAINTIFF

CAROLINE MUGUKU (LADY CAPTAIN).....4TH PLAINTIFF

JOYCE WAMUCII (DIRECTOR).....5TH PLAINTIFF

RACHEL NDEI (DIRECTOR).....6TH PLAINTIFF

SHITUL SHAH (DIRECTOR).....7TH PLAINTIFF

BONIFACE MUNGAI (DIRECTOR).....8TH PLAINTIFF

ELIZABETH NGETHE (DIRECTOR).....9TH PLAINTIFF

ALLAN AZEGELE (CHAIRPERSON).....10TH PLAINTIFF

=VERSUS=

JARED OUKE.....1ST DEFENDANT

BEATRICE KAMAU.....2ND DEFENDANT

AND

DIRECTORATE OF VETERINARY SERVICES .....1ST INTERESTED PARTY

WAWERU NJUGUNA .....2ND INTERESTED PARTY

200 MEMBERS OF VETLAB SPORTS CLUB.....3RD INTERESTED PARTIES

## RULING

This ruling is on the Defendants' Preliminary Objection dated 24th November 2025. By which the Defendants have objected to this suit. On the ground that this Court lacks jurisdiction to entertain it. That it is only the Sports Disputes Tribunal that has jurisdiction. Hence that this suit ought to have been filed there. The Objection was canvassed through written submissions. Each party filed its submissions and later orally highlighted the same.

### Analysis and Determination

In determining this Objection, I have considered the grounds in it, the subject matter of this suit as stated in the Plaint; as well as the parties' rival submissions and the relevant provisions.

In *Owners of MV Lilian "S" v. Caltex Oil (K) Ltd* [1989] eKLR, the Court of Appeal (Nyarangi J.A) observed that jurisdiction is everything, and that without it, a court should down its tools and not proceed any further. The jurisdiction of a Court (or Tribunal), is granted by the Constitution or Statute. Similarly, in the context of this suit, the jurisdiction to entertain this suit has to flow either from the Constitution, or from a Statute.

VETLAB SPORTS CLUB is registered under the Societies Act (Cap 108 Laws of Kenya); as a society. Despite it being an entity that promotes some sporting activities, especially golf, it is not registered under the Sports Act (Act NO. 25 of 2013) as a "Sports Organization".

Under Kenya Law, for an entity to qualify to be described as a "Sports Organization", it ought to be one that has been so registered under Section 46 of the Act, and a Certificate of Registration issued to that effect under Section 47. VETLAB SPORTS CLUB is not registered under the Act as such, hence is not a "Sports Organization" in terms of the Act, and has no Certificate of Registration under the Act.

The Defendants have raised the Preliminary Objection is that this suit ought to have been filed in the Sports Disputes Tribunal, and not in this Court. As that it is that Tribunal that under the Sports Act has jurisdiction in matters involving sports organizations. The Tribunal's jurisdiction is defined in Section 58 of the Act, as to include:

Appeals against decisions of National Sports Organizations or Umbrellas Sports Organization;

Referral in other sports-related disputes where all parties consent to refer to the Tribunal and the Tribunal agrees to hear; and

Appeals from decisions of the Registrar of Sports.

In all such matters, the common denominator is that the entity to which the matter relates, ought to be one that is registered under the Sports Act, as a "Sporting Organization". Despite its sporting activities and interest in promoting sports, VETLAB SPORTS CLUB does not fall under this definition. Additionally, the dispute the subject of this suit, relates not to sports or as a sport; but to internal governance and disciplinary processes of this Club, a society registered under the Societies Act.

I therefore hold that the Defendants' Preliminary Objection is misconceived, as this suit does not fall within the jurisdiction of the Sports Disputes Tribunal. As already noted in this ruling, the Tribunal's jurisdiction is not only defined by the Sports Act, but is also limited by it. Hence it is a jurisdiction, that is strictly defined and strictly limited by statute.

Such jurisdiction cannot compare with the High Court's jurisdiction under Article 165 of the Constitution, which gives the High Court original and unlimited jurisdiction in civil and criminal matters; subject of course to the provisions of Article 162 (2).

In the end therefore, I hold that this Court has jurisdiction in this suit. Consequently, the Defendants' Preliminary Objection, is hereby dismissed with costs.

DATED and DELIVERED at NAIROBI on this 20th day of January 2026.

PROF (DR) NIXON SIFUNA

JUDGE