

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA

CONSTITUTIONAL PETITION NO. 159 OF 2018

CONSOLIDATED WITH

CONSTITUTIONAL PETITION NO. 201 OF 2019

1. WILLIAM ODHIAMBO RAMOGI
2. ASHA MASHAKA OMAR
3. GERALD LEWA KITI
4. KENYA TRANSPORTERS ASSOCIATION.....PETITIONERS

VERSUS

1. THE ATTORNEY GENERAL
2. CABINET SECRETARY,
MINISTRY OF TRANSPORT & INFRASTRUCTURE
3. KENYA PORTS AUTHORITY
4. KENYA RAILWAYS CORPORATION
5. COMPETITION AUTHORITY OF KENYA.....RESPONDENTS

AND

1. MUSLIMS FOR HUMAN RIGHTS
2. MAINA KIAI
3. COUNTY GOVERNMENT OF MOMBASA.....INTERESTED PARTIES

NOTICE OF APPEAL

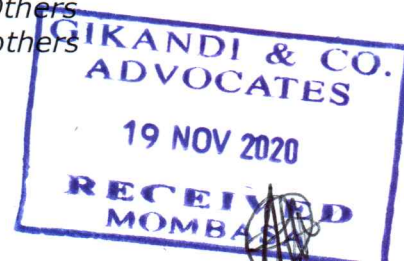
(Under Rule 75 of the Court of Appeal Rules 2010)

TAKE NOTICE that the 3rd Respondent herein, **Kenya Ports Authority**, being dissatisfied with part of the judgment and decree of the High Court sitting at Mombasa (*L. Achode, J. Ngugi, P. Nyamweya, E. Ogolla & A. Mrima JJ.*) delivered on 6th November 2020 intends to appeal to the Court of Appeal against the part holding that the exhaustion doctrine does not apply and that the directives of 15th March 2019 and 3rd August 2019 violate Article 10 and 47 of the Constitution.

The 3rd Respondent's address of service is care of **Muriu Mungai & Co. Advocates LLP, Mombasa Trade Centre, 3rd Floor, South Wing, Nkrumah Road, P. O. Box 90282-80100, Mombasa.** Cell: 0722981412; Email: mmcmsa@mmcasaf.com.

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*Msa HC Pet No. 159 of 2018; William Odhiambo v AG & 3 Others
Msa HC Pet No. 201 of 2019; Kenya Transporters v KPA & others
3rd Respondent's (KPA) Notice of Appeal*



It is intended to serve copies of this Notice on;

1st to 3rd Petitioners c/o

Nyambura Kihoro
Advocate
Sea View Plaza, 2nd Floor
P.O. Box 490-80100

Mombasa

4th Petitioner c/o

Gikandi & Company
Advocates
Sauti ya Kenya Road
P.O. Box 87669-80100

Mombasa

1st & 2nd Respondents c/o

Attorney General
Social Security Building,
6th Floor

Mombasa

1st & 2nd Interested Parties

Otieno Ogolla & Company
Advocates
Studio House, 3rd Floor
Marcus Garvey Road, Kilimani
P.O. Box 22871-00100

Nairobi

4th Respondent c/o

Miller & Company
Advocates
Sea View Plaza, 1st Floor
P.O. Box 90088-80100

Mombasa

5th Respondent c/o

Cootow & Associates
Advocates
Social Security House,
North Tower, Penthouse
P.O. Box 16858 - 80100

Mombasa

3rd Interested Party c/o

MMA Advocates LLP
Transnational Plaza,
9th Floor, Wing B
Opp. Supreme Court
P.O. Box 11223-00100

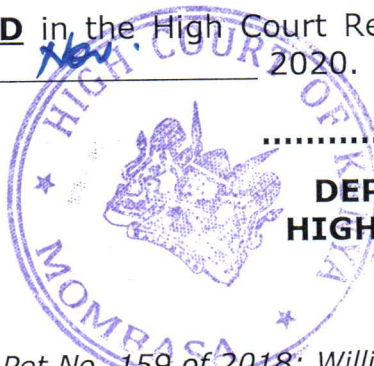
Nairobi

Dated at Mombasa this 16th day of November 2020.

MURIU, MUNGAI & COMPANY LLP
ADVOCATES FOR THE 3RD RESPONDENT

TO: Deputy Registrar
High Court of Kenya
Mombasa

LODGED in the High Court Registry at Mombasa on the 16th day of Nov 2020.



DEPUTY REGISTRAR
HIGH COURT OF KENYA
AT MOMBASA

DRAWN & FILED BY:-

Muriu, Mungai & Co.

Advocates LLP

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(Ref: D2/KPA/006/018M)

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