



Communications Commission of Kenya & 5 others v Royal Media Services Limited & 5 others (Petition 14, 14A, 14B & 14C of 2014 (Consolidated)) [2015] KESC 13 (KLR) (Civ) (5 January 2015) (Ruling)

Communications Commission of Kenya & 5 others v Royal Media Services Limited & 5 others [2015] eKLR

Neutral citation: [2015] KESC 13 (KLR)

**REPUBLIC OF KENYA
IN THE SUPREME COURT OF KENYA**

CIVIL

PETITION 14, 14A, 14B & 14C OF 2014 (CONSOLIDATED)

WM MUTUNGA, CJ & P & MK IBRAHIM, SCJ

JANUARY 5, 2015

BETWEEN

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

AND

ROYAL MEDIA SERVICES LIMITED 1ST RESPONDENT
NATION MEDIA SERVICES LIMITED 2ND RESPONDENT
STANDARD MEDIA GROUP LIMITED 3RD RESPONDENT
CONSUMER FEDERATION OF KENYA (COFEK) 4TH RESPONDENT
GOTV KENYA LIMITED 5TH RESPONDENT
WEST MEDIA LIMITED 6TH RESPONDENT



RULING

1. 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:
2. 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.
3. 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.
4. 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 M.K. IBRAHIM

**CHIEF JUSTICE & PRESIDENT JUSTICE OF THE SUPREME COURT
OF THE SUPREME COURT**

I certify that this is a true copy of the original

Registrar

SUPREME COURT OF KENYA

