REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI COUNTY

COURT NAME: MILIMANI HIGH COURT

CASE NUMBER: HCJRMISC/E120/2025

RULING

BEFORE HON. JUSTICE J. CHIGITI (SC)

1. The application that comes up for determination is the one dated 17th March 2026 wherein the applicant is seeking orders that: -
1) Spent
2) Pending the hearing of the Application Inter-partes, the Honourable Court be pleased to stay execution of the Judgment and Decree issued on 23rd December 2025.
3) Pending the hearing of the application inter-partes, the Honourable court be pleased to stay further Orders and proceedings in the suit herein.
4) The Court be pleased to arrest and/or stay the ruling on the application dated 20th January 2026 scheduled to be delivered on 16th April 2026 pending the hearing and determination of this application.
5) The Court be pleased to arrest and/or stay the ruling scheduled to be delivered on 16th April 2026 and the proceedings in respect of the application dated 20th January 2026.
6) The Honourable court be pleased to set aside, in their entirety, the Judgement delivered on this matter on 23rd December 2025 together with all consequential orders thereof.
7) The Applicant be granted leave to file its response to the Respondent's Amended Originating Motion dated 3rd December 2025 within such time as the court may deem fit.
8) The cost of this application be in the cause.
2. It is the applicant’s case that on 23rd December 2025, this Court delivered Judgment in favour of the respondent before the Applicant could file its response to the Respondent's Amended Originating Motion dated 3rd December 2025.
3. It is the applicant's case that failure to file a response arose due to confusion occasioned by multiple applications filed by the Respondent within a very short period of time, namely, TheOriginating Motion dated 24th September 2025, an application dated 25th November 2025 and The Amended Originating Motion dated 3rd December 2025 which was never served upon the Respondent.
4. This created uncertainty as to the operative application requiring a response and before the Applicant could file the necessary response, the Court had already delivered its judgment.
5. The Applicant argues that it has a substantive and an arguable response raising serious triable

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issues which ought to be heard and determined on their merits as set out in the proposed response.
6. The applicant argues that the Respondent has lodged over forty-four (44) complaints with it under the Access to Information Act and the Administrative Justice mandate.
7. It is the applicant's that the Respondents complaints have all been processed by the Applicant with final decisions/guidance/advice given in all of them.
8. The Applicant argues that it has diligently processed and addressed the Respondent' s complaints in accordance with the law, and many of the said complaints have either been acted on or are actively being processed.
9. The Applicant further argues that it engaged the Respondent mediation sessions and provided updates regarding the status of his complaints.
10. The Applicant consequently filed an Affidavit of Compliance providing the Respondent with a schedule and status update regarding his complaints, which Affidavit was duly served upon the Respondent.
11. It is its case that unless the Judgment herein is set aside, the Applicant will effectively have been condemned unheard, contrary to the principles of natural justice and the Constitutional right to a fair hearing under Article 50 of the Constitution.
12. On his part, the Respondent opposes the application and argues that the Motion is an abuse of the Court process and seeks to unjustly set aside a regular judgment delivered on 23 December 2025 since the Applicant had notice of these proceedings since it was served but failed to participate within the Court's timelines.
13. He argues that the applicant had actual notice of the suit from October 2025 since on 8th October 2025, the respondent served CAJ by email at its official addressesATIcomplaints@ombudsman.go.ke andinfo@ombudsman.go.ke. On 9 October 2025, CAJ acknowledged receipt by email.
14. He served the applicant with the Amended Originating Motion dated 3 December 2025.
15. On 4 December 2025 at 3:30 pm, he argues that he emailed CAJ at ATIcomplaints@ombudsman.go.ke and copied info@ombudsman.go.ke, attaching the Amended Originating Motion and supporting affidavit bundle for service.
16. He argues that the Applicant's argument that the Amended Originating Motion "was never served" is untrue and is contradicted by the documentary email trail.
17. According to him, service by electronic mail is provided for under Order 5 rule 22B of the Civil Procedure Rules.
18. It is his case that the applicant acknowledged his email.He argues that after acknowledging service in October 2025, CAJ filed nothing within the Court's directed timelines prior to judgment.
19. He argues that CTS screenshots show no response/submissions uploaded within deadlines, and no notice of appointment filed until 17 March 2026.
20. The Applicant's alleged "confusion" is not a sufficient cause for a constitutional commission with in-house legal capacity, multiple advocates, and with actual notice from October 2025.
21. The applicant did not seek extension of time before judgment and simply remained in default.
22. It is his case that the Applicant was present in Court on 10 February 2026 through counsel (Musembi) and heard the Court's directions on filing timelines, yet still chose not to comply.
23. The Motion was filed after he had already filed his materials and after the Court had issued directions in the post-judgment phase.
24. It therefore bears the hallmarks of strategic and prejudicial litigation, after the Court had fixed the ruling date on his pending review motion dated 20 January 2026. Reliance is placed in the case of KCB Bank Kenya Limited v Signature Tours and Travel Limited & 2 others [2023] KEHC 2743 (KLR). He also relies on his authorities and submissions earlier filed on record on late filings/indolence and prejudice.
25. It is his case that Prayer 1 should be refused since the applicant has had notice since October 2025.
26. It claims that the judgment prejudices it, yet it waited until March 2026 to file the Motion. Such

delay is inconsistent with urgency and disentitles CAJ to exparte relief.
27. He further argues that Prayers 2 and 3 do not meet the mandatory threshold for stay under Order 42 rule 6(2) since the applicant has not demonstrated any substantial loss it will suffer if stay is denied and that it moved without unreasonable delay (it did not); or any offer of security for due performance.
28. He argues that the judgment contains positive compliance obligations against CAJ (including issuance of a status schedule).He is entitled to enjoy the fruits of that judgment and the applicant cannot suspend compliance merely by filing a late Motion.
29. Prayers 4 and 5 are misconceived and prejudicial according to the respondent.
30. The pending Motion dated 20 January 2026 is already before the Court for determination on the scheduled date.
31. He argues that the attempt to “arrest” the ruling is an improper collateral attack, especially where CAJ has not met the stay threshold in Order 42 rule 6(2).
32. The applicant had notice of the 20 January 2026 Motion and participated in directions on 10 February 2026, yet chose not to file a proper response within time and it cannot now stop the Court from determining the Motion by a late ambush.
33. He argues that Prayer 6 should be refused because the judgment was regular and followed service and notice, and CAJ has shown no sufficient cause. He argues that the applicant’s explanation (“confusion”) is not credible in light of the service record and its long inaction.
34. Reliance is placed in Ntara Ole Oloibor v Musana Ole Masoi [2021] KEELC 1208 (KLR) and Karanja & another (Suing as the Legal Representatives of the Estate of Alex Karanja Ndungu - Deceased) v Ngugi & 4 others [2025] KEHC 9639 (KLR).
35. Prayer 7 should be refused since the applicant has not annexed a legitimate draft response demonstrating any bona fide triable issues warranting reopening, and in any event the foundation of its request (non-service) is false on the email record.
36. It is his case that CAJ’s annexures also stray into matters not pleaded in E120 and/or include speculative “proposed” material. Such material should be disregarded/expunged as it is not evidence and would prejudice me.
37. He does not dispute the fact that the Applicant is a constitutional commission established under Article 59(4) and mandated under its statute, and that it has oversight under the Access to Information Act.
38. The issue is CAJ’s indolence and false factual allegations in seeking to set aside a judgment after service and notice cannot stand.
39. According to him it is true judgment was delivered in CAJ’s absence, but that absence was self-inflicted after notice and service.
40. The applicant had notice of these proceedings from at least 9 October 2025, when it acknowledged receipt of his served documents by email.
41. The alleged “confusion” (ground 4) is not true, and in any event is not a sufficient cause. The Court issued clear directions and timelines. CAJ never sought clarification, never sought extension before judgment, and never filed any response within time despite having institutional legal capacity.
42. The Applicant’s allegation that the Amended Originating Motion dated 3 December 2025 was “never served” (ground 5) is false.
43. Pursuant to the Court’s leave to amend, he served CAJ by email on 4 December 2025 at 3:30 pm to CAJ’s official e-mail addressesATIcomplaints@ombudsman.go.keand copiedinfo@ombudsman.go.ke, attaching the amended motion and affidavit bundle.
44. He argues that service by email is recognisedunder Order 5 rule 22B and was adopted in this matter. 45. He argues that the applicant’s allegation that his pleadings were generated through AI can’t stand since the applicant did not tender any proof at all by way of metadata, forensic report, identified fabricated authority,false quotation nor identified inaccurate citation.
46. The AI allegation is therefore speculative and scandalous and should be struck out from CAJ’s

affidavits and/or given no weight under Order 19 rule 6 as irrelevant/oppressive to the real issues which are service, delay, stay threshold.
47. It is his case that he used ordinary digital tools including legal research tools, but he personally reviewed, edited and adopted his documents, and he remain personally responsible for the truth of sworn facts and accuracy of citations.
48. He argues that the applicant did not exhibit any competent draft replying affidavit, response, or other admissible material demonstrating a bona fide defence to justify reopening a concluded judgment; instead, it relies on bare assertions and an undated/unsigned “proposed response” (DKM-1) which is not evidence.
49. He argues that at paragraph 8 of the Supporting Affidavit sworn by Daniel Mwangi Karomo (17 March 2026), CAJ alleges it has annexed a “proposed response” marked DKM-1to demonstrate a substantive defence. The document marked DKM-1 is not a sworn affidavit and not evidence: it is undated and unsigned, and it is expressly framed as a “proposed” document.
50. It therefore carries no evidential weight and is incapable of rebutting the judgment or of demonstrating a bona fide defence.
51. The said DKM-1 according to him is internally unreliable and confusing on its face: it purports to reference further annexures and materials (including “DKM-1”, “DKM-2” and “DKM-3”) in a manner that is a circular and not verifiable, and it appears to be an attempt to place future or speculative matter before Court.
52. He argues that the document marked DKM-1(and any paragraphs founded on it) be struck out / expunged / disregarded as scandalous, irrelevant and otherwise oppressive and as not constituting admissible affidavit evidence, pursuant to Order 19 rule 6 of the Civil Procedure Rules.
53. He argues that the allegations in Karomo’s Affidavit (that the Respondents have lodged “over 44 complaints” and that CAJ has processed them all) is a new narrative that does not cure the core issue before Court.
54. He argues that the Applicant is dishonest on the allegation of non-service of the Amended Originating Motion. Further, the internal status and processing of alleged additional complaints lies within CAJ’s own custody and special knowledge, and cannot be introduced through an inadmissible “proposed” response.
55. He argues that Karomo’s paragraphs 5–6 are framed as “I am advised by counsel…”, which advice is not evidence of non-service; the objective documentary record (email service and CAJ’s acknowledgement) is the best evidence and contradicts CAJ’s narrative.
56. The applicant has not acted in good faith. It made objectively false allegations of non-service.The unsupported allegations of AI generation, and the delay for months despite notice since October 2025 can’t hold.
57. He argues that he will suffer real prejudice if the judgment is set aside, including loss of finality, wasted costs/time, and continued denial of timely redress against a public body. CAJ, conversely, has not shown substantial loss.
58. It is his case that the right to be heard is satisfied where a party is given notice and service and chooses not to act. The Court’s discretion should not be used to aid indolence (vigilantibus non dormientibus jurasubveniunt) and litigation must end (interest reipublicae ut sit finis litium).
59. He argues that the applicant alleges (without evidence) that his pleadings were generated through artificial intelligence”.
60. The applicant has provided no forensic basis (metadata, document properties, no expert report, no forensic report, and no particularised falsehoods or identified fabricated citations) to support that allegation.
61. It is his case that his documents contain no fabricated cases, false citations, or invented quotations identified by CAJ and the allegation is therefore speculative, scandalous and irrelevant to the core question whether CAJ was served and whether it acted diligently.
62. He argues that he used ordinary digital tools (including legal research tools) to assist in writing, but he personally reviewed, edited and adopted every document and he remains personally

responsible for all factual statements on oath and legal citations.
63. He argues that he is self-represented and use lawful tools to participate effectively; CAJ's attempt to weaponise this as a ground to set aside a judgment is abusive.
64. It is his case that the applicant has not satisfied the threshold under Order 42 rule 6(2) of theCivil Procedure Rules: it has not demonstrated substantial loss, has not offered security, and its delay/indolence is unexplained.
65. It is his case that further, CAJ's annexures include material beyond the pleaded E120 files and/or speculative "proposed" material.
66. He objects to such material at the hearing; it should be given no weight and/or expunged as it is not evidence and is an attempt to shift the case outside the pleadings and outside the Motion's proper scope. He prays that CAJ's Notice of Motion dated 17 March 2026 be dismissed in full.
67. In the alternative, he asks the court to refuse prayers 1–5 (urgency/stays/arrest) outright under Order 42 r.6.
Analysis and determination:
The following are the issues for determination;
1) Whether or not the it is legal to draft pleadings using artificial intelligence tools.
2) Whether the application has merit.
3) Who shall bear costs.
Whether or not the it is legal to draft pleadings using artificial intelligence tools.
68. The respondent/Exparte applicant admitted that he used what he called ordinary digital tools (including legal research tools) to assist in writing, but he personally reviewed, edited and adopted every document and he remains personally responsible for all factual statements on oath and legal citations.
69. He argued that his pleadings contain no fabricated cases, false citations, or invented quotations. He argued that he is self-represented and uses lawful tools to participate effectively in court.
70. The drafting of Pleadings in Kenya is regulated by Order 2 of the civil Procedure rules.
71. Rule (1) provides that every pleading in civil proceedings including proceedings against the Government shall contain information as to the circumstances in which it is alleged that the liability has arisen and, in the case of the Government, the departments and officers concerned.
(2) In such proceedings if the defendant considers that the pleading does not contain sufficient information as aforesaid, the defendant may, at any time before the time limited by the summons for appearance has expired, by notice in writing to the plaintiff, request further information as specified in the notice.
Order 2 rule 2 provides for the formal requirements that pleadings must have. It stipulates that every pleading shall be divided into paragraphs numbered consecutively, each allegation being so far as appropriate contained in a separate paragraph.
(2)Dates, sums and other numbers shall be expressed in figures and not words.
Order 2, rule 3
(1)Subject to the provisions of this rule and rules 6, 7 and 8, every pleading shall contain, and contain only, a statement in a summary form of the material facts on which the party pleading relies for his claim or defence, but not the evidence by which those facts are to be proved, and the statement shall be as brief as the nature of the case admits.
(2) Without prejudice to subrule (1), the effect of any document or the purport of any conversation referred to in the pleading shall, if material, be briefly stated, and the precise words of the document or conversation shall not be stated, except in so far as those words are themselves material.
(4) A statement that a thing has been done or that an event has occurred, being a thing or an event the doing or occurrence of which constitutes a condition precedent necessary for the case of a party shall be implied in his pleading.
78. The rationale behind having the rules of drafting cannot be gain said. It creates a universal standard in the pleadings that all litigants and lawyers use and adopt when engaging with the courts in Kenya.

Pleadings that are guided by the Civil Procedure Rules help the courts when interacting with the cases and in addressing the issues during the hearing and in judgment writing.
This accords with democracy,the rule of law and governance under Article 10 of the Constitution of Kenya.
79. In an adversarial system like Kenya,uniformity in how pleadings are drafted lends certainty and assurance to all the litigants that they shall access justice fairly with every litigant enjoying the equal benefit of the law as espoused under Article 27 of The Constitution.
80. The fact that the applicant acts in person does not give him leverage or permission adopt his unique drafting tools,structures and methodologies that are exclusively available to him.To allow that would enable him to unfairly enjoy a higher hand over the Commission.When it comes to the duty to comply with the rules of draft pleadings all litigants must be placed on an equal playing ground unless otherwise permitted by the court.
The use of personalized drafting tools, structures and methodologies that are not provided for under the rules of drafting like the ones the Applicant has admittedly used is deplorable.
To allow a departure from the rules of drafting will create a litigation disaster leaving the judges with no guiding beacons to propel the proceedings.This will ultimately reflect on the judgments that are informed by such an unregulated terrain.
81. The generation of pleadings through unknown tools or artificial intelligence gives an unfair advantage to the person drafting using such tools.
This amounts to an affront to access to justice as guaranteed under Article 48 of the Constitution.
83. Drafting pleadings, using artificial tools unknown to the Civil Procedure Rules and artificial intelligence which are not provided for in our Laws, gives such a user or litigant an unfair advantage over their rival in an adversarial system.
85. The rules committee has not yet amended nor introduced drafting tools or mechanisms that are assisted by electronic tools ,technology or artificial intelligence.
86. The fact that the ex parte applicant admits that he used unknown tools or artificial intelligence to draft his pleadings amounts to an abuse of the court. It is not for him as a litigant to vouch for or verify for the court, the truthfulness or the accuracy of such undisclosed tools or the AI generated pleadings.To allow that would mean that he shall act as a judge in his own case.That is unacceptable since it is a violation of the rules of natural Justice.
87. The court cannot tell which tools or technology the ex parte applicant used to draft the pleadings as of today.He did not furnish the court with the names of the tools nor tell the court how they work. It is next to impossible for the court to know the commands that the applicant gave to the computer to generate the results that he generated through tools or AI.
88. The court and the Applicant cannot tell, which of the contents of the Exparte applicant’s pleadings or particulars of the reliefs sought were drafted or generated through such tools.
Only the Exparte Applicant can tell because he admits that after using the tools he verified the contents and that he owns the same.
The Exparte stole a match against the applicant and insulted the court with abundance and without a care to disclose that he used AI at inception.He should have candidly disclosed to the court at inception how the pleadings were drafted.
89. The term "Artificial Intelligence" or "Al" first was coined by scientists in the 1950s to encompass "the capability of computer systems or algorithms to imitate intelligent human behavior." Artificial Intelligence, Merriam-Webster Dictionary,
https://www.merriam-webster.com/dictionary/artificial%20intelligence.
"Generative Al" represents the latest wave of Al technology. Functionally, Generative Al can create text, images, sound, video, or other content in response to user prompts. For the legal profession, Generative Al technology offers the promise of increased efficiency through the performance of time-consuming tasks using just a few keystrokes.

Generative Al can draft simple legal documents such as contracts, motions, and e-mails in a matter

of seconds; it can provide feedback on already drafted documents; it can check citations to authority; it can respond to complex legal research questions; it can analyze thousands of pages of documents to identify trends, calculate estimated settlement amounts, and even determine the likelihood of success at trial. See Petruzzi and Guye, "The
perils of dabbling":

Al and the practice of law, Reuters, (Sept. 11, 2023),
https://www.reuters.com/legal/legalindustry/perils-dabbling-ai-practice-law-2023-09-11/; Lorek.Had he approached the court with clean hands by informing the court that he had drafted his pleadings using artificial intelligence tools, then the court would have struck out his case and not rendered a judgment in his favour.He intentionally misled the court.

90. In Park v. Kim, 91 F.4th 610 (2024) the United States District Court for the Eastern District of New York held;
"All counsel that appear before this Court are bound to exercise professional judgment and responsibility, and to comply with the Federal Rules of Civil Procedure. Among other obligations, Rule 11 provides that by presenting a submission to the court, an attorney “certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances ... the claims, defences, and other legal contentions are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law or for establishing new law.”
91. The court was misled into embracing pleadings, which were a machine generated, and a judgment that flows from this illegal process cannot stand. The same must be set aside which I hereby I do.
92. It does not matter how well the case is argued if the pleadings were illegally drafted.
94. In The case of Samba t/a Samba & Co. Advocates v Mengich (Miscellaneous Application 7 of 2022) [2023] KEHC 26977 (KLR) cited the case of Republic v Advocates Disciplinary Tribunal Ex-parte Apollo Mboya [2019] eKLR,whereby upon considering, comparative jurisprudence, the Court crystalized the principles for consideration in reviewing its own decisions as follows:
i. A Court can review its decision on either of the grounds enumerated in Order 45 Rule 1 and not otherwise.
ii. The expression "any other sufficient reason" appearing under Order 45 Rule 1 has to be interpreted in the light of other specified grounds.
iii. An error ·which is not self-evident and which can be discovered by a long process of reasoning cannot be treated as an error apparent on the face of record justifying exercise of power under Section 80.
iv. An erroneous order/decision cannot becorrected in the guise of exercise of power of review.
v. A decision/order cannot be reviewed under Section 80 on the basis of subsequent decision/judgement of a coordinate or larger Bench of the Tribunal of superior Court.
vi. While considering an application for review, the Court must confine its adjudication with reference to material, which was available at the time of initial decision. The happening of some subsequent event or development cannot be taken note of for declaring the initial order/decision as vitiated by an error apparent.
vii. Mere discovery of new or important matter or evidence is not sufficient ground for review. The party seeking review has also to show that such matter or evidence was not within its knowledge and even after the exercise of due diligence, the same could not be produced before the Court/Tribunal earlier.
viii. A mistake or an error apparent on the face of the record means a mistake or an error, which is prima facie visible and does not require any detail examination.
97. In Republic v Public ProcurementAdministrative Review Board & 2 others [2018] eKLR, the Court observed as follows: -

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“Section 80 gives the power of review and Order 45sets out the rules. The rules restrict the grounds for review. The rules lay down the jurisdiction and scope of review limiting it to the following grounds; (a) discovery of new J and important matter of evidence which after the exercise of due diligence, was not within the knowledge of the applicant or could not be produced by him at the time when the decree was passed or the order made or; (b) on account of some mistake or error apparent on the face of the record, or (c) for any other sufficient reason and whatever the ground there is a requirement that the application has to be made without unreasonable delay.”

98. In the instant suit, the court is satisfied that the applicant has advanced tangible reasons to justify the grant of the orders sought. The applicant has moved the court promptly.

The applicant is hereby barred from filing any other pleadings in any court which are machine generated, unless there is a law in Kenya, allowing or providing for the drafting using artificial intelligence tools.

The issue of costs;

99. In Halsbury’s Laws of England, 4th ed Re-Issue (2010), Vol. 10, para. 16:

“The court has discretion as to whether costs are payable by one party to another, the amount of those costs, and when they are to be paid. Where costs are in the discretion of the court, a party has no right to costs unless and until the court awards them to him, and the court has an absolute and unfettered discretion to award or not award them. This discretion must be exercised judicially; it must not be exercised arbitrarily but in accordance with reason and justice” [emphasis supplied].

100. In Joseph Oduor Anode v. Kenya Red Cross Society, Nairobi High Court Civil Suit No. 66 of 2009; [2012] eKLROdunga, J. thus observed:

“…whereas this Court has the discretion when awarding costs, that discretion must, as usual, be exercised judicially. The first point of reference, with respect to the exercise of discretion is the guiding principles provided under the law. In matters of costs, the general rule as adumbrated in the aforesaid statute [the Civil Procedure Act] is that costs follow the event unless the court is satisfied otherwise. That satisfaction must, however, be patent on record. In other words, where the Court decides not to follow the general principle, the Court is enjoined to give reasons for not doing so. In my view it is the failure to follow the general principle without reasons that would amount to arbitrary exercise of discretion …” [emphasis supplied].

101. The Civil Procedure Act (Cap. 21, Laws of Kenya), the primary law of judicial procedure in civil matters, thus stipulates (Section 27(1)):

“Subject to such conditions and limitations’ as may be prescribed, and to the provisions of any law for the time being in force, the costs of and incidental to all suits shall be in the discretion of the court or judge, and the court or judge shall have full power to determine by whom and out of what property and to what extent such costs are to be paid, and to give all necessary directions for the purposes aforesaid; and the fact that the court or judge has no jurisdiction shall be no bar to the exercise of those powers:

Provided that the costs of any action, cause or other matter or issue shall follow the event unless the court or judge shall for good reason otherwise order” [emphases supplied].

102. In Usherson v. Bandshell Artist Mgmt., No. 19-CV-6368 (JMF), 2020 WL3483661, at *9 (S.D.N.Y. June 26, 2020) the United States District Court for the Southern District of New York held;

“A court may never impose sanctions pursuant to its inherent authority absent a finding, by clear and convincing evidence, that the party or attorney knowingly submitted a materially false or misleading pleading, or knowingly failed to correct false statements, as part of a deliberate and unconscionable scheme to interfere with the Court’s ability to adjudicate the case fairly.”

103. In the instant suit the court shall condemn the Ex parte Applicant to pay costs.

Disposition;

104. Technology is a powerful social economic growth tool when it is harnessed within a legal framework. Kenya is currently working towards legally embracing artificial intelligence.

Once the legislators come up with an appropriate legislative framework of at all, then artificial intelligence will then form part of our Laws.

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The rules Committee that is in charge of developing rules for our courts is hereby invited to consider amending the Civil Procedure Rules so as to embrace technology and artificial intelligence drafting rules through public participation.
106. The introduction of electronic drafting tools and artificial intelligence in the Social Transformation through access to justice -STAJ Chief Justices blue print will also go a long way in enabling litigation in embracing technology within the appropriate policy and regulating framework.
107. The application has merit.
Order;
1) The Judgement delivered on 23rd December 2025 together with all consequential orders thereof is set aside.
2) The exparte applicant's application dated 20th January 2026 is struck out with costs.
Dated, signed and delivered virtually at Nairobi this 16th day of April, 2026.

SIGNED BY:

THE JUDICIARY OF KENYA.
MILIMANI HIGH COURT
HIGH COURT JUDICIAL REVIEW
DATE: 2026-04-17 11:51:55+03