



**CHARTERED INSTITUTE OF ARBITRATORS KENYA BRANCH LIMITED
SUMMARY CASE LAW**

HCOMMARB/E001/2021

**HIGH POINT AGENCIES LIMITED VS PS, MINISTRY OF TRANSPORT, INFRASTRUCTURE,
PUBLIC WORKS AND URBAN DEVELOPMENT**

FACTS

The Applicant filed an application dated 23rd April, 2021 seeking recognition and enforcement of an arbitral award dated 12th January, 2021 issued by Dr. Kenneth Wayne Mutuma under Section 36 of the Arbitration Act. The Respondent did not oppose the application.

ISSUES

Whether the Arbitral Award dated 12th January, 2021 should be recognized and enforced as a judgment of the Court?

RULE OF LAW

The Arbitration Act, Section 36

RULING

The Court allowed the application on terms; that the award issued by Dr. Kenneth Wayne Mutuma dated 12th January, 2021 is recognized and leave granted to the Applicant to enforce the award as a judgment of the Court and; that costs of the application be borne by the Respondent.

RATIONALE

Both parties were in agreement that the arbitral award should be recognized and enforced and in the circumstances, the arbitral award was recognized as binding and enforced as a judgment of the Court.