



REPUBLIC OF KENYA



**KENYA LAW**  
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**Kenya Petroleum Oil Workers Union v Owi (Appeal E069 of 2025)  
[2025] KEELRC 2480 (KLR) (18 September 2025) (Ruling)**

Neutral citation: [2025] KEELRC 2480 (KLR)

**REPUBLIC OF KENYA  
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI  
APPEAL E069 OF 2025  
JW KELI, J  
SEPTEMBER 18, 2025**

**BETWEEN  
KENYA PETROLEUM OIL WORKERS UNION ..... APPELLANT  
AND  
JUDITH OWI ..... RESPONDENT**

**RULING**

1. The appellant filed an application dated 10<sup>th</sup> March 2025 by way of Notice of Motion dated 10<sup>th</sup> March 2025 for the substantive Orders –
  - a. That pending the hearing and determination of the intended Appeal, the Honourable Court be pleased to stay the execution of the Judgment and all consequential orders granted in the judgment delivered on 12th February 2025 in MCELRC Cause No. E1961 OF 2021 by Honourable A.N. Ogonda (PM).
  - b. That the costs of this Application be provided for.
  - c. That the Court do issue any other orders that meet the ends of justice.
2. The application was based on the grounds that the applicant had appealed against the judgment of the lower court, his appeal had a high chance of success, and that his appeal risked being rendered nugatory if the stay was not granted. Regarding security, the appellant offered to deposit a bank guarantee of Kshs 757,862/- or provide reasonable security in court. The application was supported by an affidavit of George Okoth dated 10th March 2025.
3. The application was opposed by the respondent through a replying affidavit dated 13<sup>th</sup> March 2025, who stated that the condition of granting the stay ought to be a deposit in a joint interest-earning account held by advocates of both parties of the full decretal sum. The respondent filed a further affidavit in reply.



4. The parties proceeded with the appeal and filed written submissions, and the judgment date was set for 26<sup>th</sup> September 2025. The Court granted an interim stay of execution pending judgment in the appeal.

#### **Decision**

5. The application dated 10th March 2025, seeking a stay of execution pending hearing and determination of the appeal, is hereby considered overtaken by events, as the court's judgment is due for delivery on 26th September 2025. The application is marked as overtaken by events. The respondent is entitled to costs for having filed a response and the court having issued interim orders until the judgment date.
6. It is so Ordered.

**DATED, SIGNED, AND DELIVERED IN OPEN COURT AT NAIROBI THIS 18<sup>TH</sup> DAY OF SEPTEMBER, 2025.**

**J.W. KELI,**

**JUDGE.**

In the Presence of:

Court Assistant: Otieno

Appellant – Ms. Ochieng h/b Onyony

Respondent: - Absent

