



**Yongoh v Women Working with Women & another (Cause 791 of 2019)
[2025] KEELRC 3289 (KLR) (21 November 2025) (Ruling)**

Neutral citation: [2025] KEELRC 3289 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
CAUSE 791 OF 2019
S RADIDO, J
NOVEMBER 21, 2025**

BETWEEN

VIOLET JULIAH YONGOH CLAIMANT

AND

WOMEN WORKING WITH WOMEN 1ST RESPONDENT

DON CATHERFINE AWUOR 2ND RESPONDENT

RULING

1. On 26 November 2024, the Deputy Registrar fixed the Cause herein for hearing on 3 March 2025.
2. When the Cause was called out, none of the parties was in attendance and the Court dismissed the Cause.
3. Aggrieved, Violet Juliah Yongoh (the Claimant) filed a Motion dated 18 August 2025 seeking an order setting aside the dismissal and reinstating the Cause.
4. The primary grounds in support of the Motion were that the Claimant and her advocate were not aware of the hearing and that the Claimant had been ready to proceed for hearing on 26 November 2024, but the Court did not sit.
5. The Claimant filed her submissions on 10 November 2025, and urged that she would suffer irreparably if not given the opportunity to prosecute her case. The Claimant called to her aid, Article 50 of *the Constitution* on the right to a fair hearing.
6. Despite service through email, the Respondent did not respond to the Motion.
7. The Court has considered the record, Motion, affidavit in support and submissions.
8. When the Cause first came for hearing on 10 February 2021, it was dismissed because the Claimant was absent despite being aware of the hearing.



9. The Claimant applied to have the Cause reinstated, and the Court obliged on 9 June 2021 on conditions.
10. The Court reiterated the orders on 13 July 2021. The Court also referred the parties to Court Annexed Mediation but nothing came out of it.
11. On 6 June 2024, the Court fixed the Cause for hearing on 26 November 2024.
12. Because the Court was away, the file was placed before the Deputy Registrar. None of the parties attended before the Deputy Registrar but nonetheless she fixed hearing for 3 March 2025.
13. The record indicates that the Deputy Registrar sent out hearing notices to the parties through email the same day (26 November 2024).
14. The parties did not attend Court on 3 March 2025 and the Court dismissed the Cause.
15. The Claimant has not disclosed whether she received the hearing notice or not.
16. The Claimant moved the Court some 5 months after the Cause had been dismissed. She did not explain how and when she became aware of the dismissal.
17. Without the explanation, the Court finds inordinate delay on the part of the Claimant in moving the Court.
18. The Claimant was seeking an exercise of the Court's discretion but she has not shown sufficient cause.

Orders

19. The Motion dated 18 August 2025 is found without merit and is dismissed with no order on costs.

DELIVERED VIRTUALLY, DATED AND SIGNED IN KISUMU ON THIS 21ST DAY OF NOVEMBER 2025.

RADIDO STEPHEN, MCI Arb

JUDGE.

Appearances

For Claimant Ajaa Olubayi & Co. Advocates

For Respondent Komolo & Partners Advocates

Court Assistant Wangu

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