



**Kenya Union of Water and Sewerage Employees v Meru Water and Sewerage Company Limited (Cause E026 of 2024) [2025] KEELRC 3499 (KLR) (2 December 2025) (Ruling)**

Neutral citation: [2025] KEELRC 3499 (KLR)

**REPUBLIC OF KENYA  
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT MERU  
CAUSE E026 OF 2024  
L NDOLO, J  
DECEMBER 2, 2025**

**BETWEEN  
KENYA UNION OF WATER AND SEWERAGE EMPLOYEES ..... CLAIMANT  
AND  
MERU WATER AND SEWERAGE COMPANY LIMITED ..... RESPONDENT**

**RULING**

1. This ruling dispenses with the Respondent's Preliminary Objection, raised by notice dated 6<sup>th</sup> October 2025.
2. The gist of the objection is that the Claimant lacks the locus standi and legal capacity to institute, prosecute or maintain the instant suit, as it is no longer a registered trade union under the [Labour Relations Act](#), its Certificate of Registration having been cancelled by the Registrar of Trade Unions, pursuant to Section 20 of the Act.
3. The Respondent states that the said cancellation of registration was upheld by Abuodha J in ELRC Appeal No E129 of 2025: Elijah Awach & 6 others v Registrar of Trade Unions & 2 others; Water Services Workers Union (Interested Party).
4. The Respondent therefore avers that the suit herein is incompetent, fatally defective and bad in law and asks the Court to strike it out.
5. Despite due service, the Claimant did not respond to the Respondent's Preliminary Objection.
6. I have seen the ruling delivered by Abuodha J on 25<sup>th</sup> July 2025 in Awach & 6 others v Registrar of Trade Unions & 2 others; Water Services Workers Union (Interested Party) [2025] KEELRC 2218 (KLR) by which the Claimant's de-registration by the Registrar of Trade Unions was confirmed. It is therefore not in contest that the Claimant is no longer a registered trade union.
7. Section 21 of the [Labour Relations Act](#) sets out the effect of registration as follows:



21. Effect of registration

A trade union, employers' organisation or federation shall be registered as a body corporate—

- a. with perpetual succession and a common seal;
- b. with the capacity in its own name to—
  - i. sue and be sued; and
  - ii. enter into contracts; and
- c. hold, purchase or otherwise acquire and dispose of movable and immovable property.

8. From the foregoing clear provision, it follows that once a trade union is de-registered, it loses its corporate identity and the capacity to litigate in its own name. Having lost its registration, the Claimant cannot lawfully continue this claim.

9. In the circumstances, the only thing to do is to strike out this claim, which I hereby do.

10. I make no order for costs.

11. Orders accordingly.

**DELIVERED VIRTUALLY THIS 2<sup>ND</sup> DAY DECEMBER 2025**

**LINNET NDOLO**

**JUDGE**

Appearance:

Ms. Githinji h/b for Mr. M'Inoti for the Respondent

No appearance for the Claimant

