

**REPUBLIC OF KENYA**  
**IN THE EMPLOYMENT AND LABOUR RELATIONS COURT**  
**AT KAKAMEGA**

**APPEAL NO. E018 OF 2025**

**VIHIGA COUNTY PUBLIC SERVICE BOARD.....1<sup>ST</sup> APPELLANT**

**COUNTY GOVERNMENT OF VIHIGA.....2<sup>ND</sup> APPELLANT**

**VERSUS**

**GIDEON HABWE AMUCHUKU..... RESPONDENT**

**(BEFORE HON. JUSTICE DAVID NDERITU)**

**RULING**

1. The application by the appellants is dated 6<sup>th</sup> August 2025 and supported with an affidavit of even date sworn by PETER INONDA.
2. The application was served upon the respondent and an affidavit of service placed on record.
3. The respondent did not respond to the application and the same is thus unopposed.
4. The court has gone through the application, the supporting affidavit and the annexures thereto.
5. In the circumstances and view of the fact that the application is not opposed, the application has merits and the same is allowed in terms that pending the hearing and determination of the appeal

herein the orders issued by Hon. Z. J. Nyakundi (SPM) in Kakamega CMELRC NO. E020 of 2025 are hereby stayed and shall not take effect.

6. The costs of the application shall be in the appeal.

**DELIVERED VIRTUALLY, DATED, AND SIGNED AT  
KAKAMEGA THIS 11TH DAY OF DECEMBER, 2025.**

.....  
**HON. DAVID NDERITU  
JUDGE.**