

**REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAKURU
ELRC CIVIL APPEAL NO.E090 OF 2025**

BETWEEN

ROBINSON INVESTMENT LIMITEDAPPELLANT

VERSUS

ALBERT ODIRA ONGOMARESPONDENT

RULING

1. The Memorandum of Appeal dated 15th December 2025, and the Application filed by the Appellant of even date, is bad in law and incompetent.
2. The Respondent is named Albert Odira Ongoma in the Appeal, while the Claimant in the Claim subject matter of the Appeal, is named Christiano Oanda Reuben.
3. It is not made clear if this is the same person, or if there was substitution of the original Claimant.
4. Secondly, the Memorandum of Appeal and the Application are indicated to have been filed at the High Court of Kenya, an unrelated jurisdiction from the Employment & Labour Relations Court.
5. Thirdly, the Judgment subject matter of the Appeal, was delivered over 4 months ago, on 8th August 2025.

6. Rule 14 of the E&LRC [Procedure] Rules. 2024, requires that an Appeal from the Magistracy, shall be filed within 30 days of the delivery of the decision.
7. There is no evidence that the Appellant sought, and was granted leave, to file the Appeal over 4 months after the Judgment was delivered by the Trial Court.

IT IS ORDERED: -

- a. ***The Memorandum of Appeal dated 15th December 2025 is struck out.***
- b. ***The Application accompanying the Memorandum of Appeal is struck out.***
- c. ***File is closed.***
- d. ***No order on the costs.***

Dated, signed and delivered electronically at Nakuru, this 16th day of December 2025.

James Rika
Judge



