

REPUBLIC OF KENYA

IN THE EMPLOYMENT & LABOUR RELATIONS COURT AT NAIROBI

CAUSE NUMBER E635 OF 2020

SAMWELW. MUGO.....	1 ST CLAIMANT
MOSES MANOTI.....	2 ND CLAIMANT
NZANGA NGULI.....	3 RD CLAIMANT
SHEM B. NGAIRA.....	4 TH CLAIMANT
PETER WAFULA.....	5 TH CLAIMANT
ONESMUS KASINGA.....	6 TH CLAIMANT
JUSTUS ILOVI.....	7 TH CLAIMANT
MUE NZAVI.	8 TH CLAIMANT
PETER MWANZIA.....	9 TH CLAIMANT
OBADIA KANIA KAMWENDEIT.....	10 TH CLAIMANT
YOANA TONO ODONGO.....	11 TH CLAIMANT
ALEX WAFULA.	12 TH CLAIMANT
PAUL LUSI.	13 TH CLAIMANT
PAUL NYAMORA.	14 TH CLAIMANT
JOHN MASINDE.	15 TH CLAIMANT
HARRISON KARUBUI.	16 TH CLAIMANT
PIUS BENSON OBONYO.....	17 TH CLAIMANT
MUTINDA MUSANGO.....	18 TH CLAIMANT
PETER MASESE.	19 TH CLAIMANT
FRANCIS WAITHAKA NYOKABI.	20 TH CLAIMANT
KENNEDY MACHOGU.....	21 ST CLAIMANT
PETER MWANGANU.....	22 ND CLAIMANT
BENARD GICHIMU MACHARIA.....	23 RD CLAIMANT
JOTHAM MANUEL ONDEKO.....	24 TH CLAIMANT
VINCENT ODUOR WATOYI.....	25 TH CLAIMANT
MARTIN IMO OTIYA.	26 TH CLAIMANT
JOHN MAINA KAMAU.	27 TH CLAIMANT

PATRICK ODHIAMBO OGARA.....	28 TH CLAIMANT
FRANCIS BARAZA OKULO.	29 TH CLAIMANT
PATRICK LIROBA MULANGIZI.....	30 TH CLAIMANT
MOSES KWARA JUMA.....	31 ST CLAIMANT
CHARLES GICHANE MWANGI.....	32 ND CLAIMANT
PATRICK ONJONGO KENGARA.....	33 RD CLAIMANT
JOSEPH MAINA MAINGI.....	34 TH CLAIMANT
NATHANIEL NGUTHU MUTHENGI.....	35 TH CLAIMANT
CHARLES ORIEKO MAKORI.....	36 TH CLAIMANT
GERISHON NDUATI MUNGAI.....	37 TH CLAIMANT
BENARD MANGENI OKEDA.	38 TH CLAIMANT
FRED S. LUVIRHA.	39 TH CLAIMANT
JOSEPH W. NGUI.....	40 TH CLAIMANT
ALOYS M. OSIRI.....	41 ST CLAIMANT
REUBEN NGINYA MUIRURI.....	42 ND CLAIMANT
LUCAS HENSREY OGATO.....	43 RD CLAIMANT
GEORGE N. NGARIU.....	44 TH CLAIMANT
JOEL N. NZINGA.....	45 TH CLAIMANT
JOSEPH G. MWIHIA.....	46 TH CLAIMANT
MOSES NGOTHO.....	47 TH CLAIMANT
DAVID MWAURA NGIGI.....	48 TH CLAIMANT
JULIUS O. OYUOLO.....	49 TH
CLAIMANT DANIEL OMONDI OGADA.....	50 TH
CLAIMANT PAUL MAITHYA KIMANTHI.....	51 ST
CLAIMANT	
HEZRON OYORI MONGARE.....	52 ND CLAIMANT
PETER MATHIU MKWARIA.....	53 RD CLAIMANT
ANTHONY NYAMU MWANIKI.....	54 TH CLAIMANT
JAMES ORANGI.....	55 TH CLAIMANT
PATRICK MURIUKI NJUE.....	56 TH CLAIMANT
WASHINGTON OTIENO.....	57 TH CLAIMANT
JOSEPH KIUNGU KIRERA.....	58 TH CLAIMANT

KENNEDY SOME NYAKORA.....	59 TH	CLAIMANT
WELLINGTON MUSIMBA KIVUNGI.....	60 TH	CLAIMANT
NGOVE NYAMAI NGOVE.....	61 ST	CLAIMANT
JOSEPH MOSOTI NYAKUNDI.....	62 ND	CLAIMANT
PETER KYUMA MUNYWOKI.....	63 RD	CLAIMANT
FRANCIS KIMITA OWINO.....	64 TH	CLAIMANT
DANCAN VOHOYA.....	65 TH	CLAIMANT
ELIZABETH MWENDE MURIRA.....	66 TH	CLAIMANT
THOMAS ONGIGE.....	67 TH	CLAIMANT
PATRICK KANGETHE.....	68 TH	CLAIMANT
FREDRICK MAFUMBA.....	69 TH	CLAIMANT
PAUL OTIENDE.....	70 TH	CLAIMANT
MEDY JOEL AURA.....	71 ST	CLAIMANT
PHILIP PETER KIMANI.....	72 ND	CLAIMANT
PETER NGUGI NDUNGU.....	73 RD	CLAIMANT
FRANCIS KARINGI KURIA.....	74 TH	CLAIMANT
THADEUS KIMEU.....	75 TH	CLAIMANT
JULIUS NYERERE OGADA.....	76 TH	CLAIMANT
JOSEPH MUINDE.....	77 TH	CLAIMANT
STEPHEN NDUNGU NGIRI.....	78 TH	CLAIMANT
PETER NDIRANGU WAMBUGU.....	79 TH	CLAIMANT
PETER MWIHAKI.....	80 TH	CLAIMANT
DANIEL MUTINDA KIOKO.....	81 ST	CLAIMANT
GEOFFREY MAILU MUTHAMI.....	82 ND	CLAIMANT
DOUGLAS NYAKUNDI MAIKO.....	83 RD	CLAIMANT
ANTONY AHIRO.....	84 TH	CLAIMANT
FLORENCE AKWANGA.....	85 TH	CLAIMANT
PETER K. KABUI.....	86 TH	CLAIMANT
SAMSON A. OCHOLA.....	87 TH	CLAIMANT
PETER THUKU NJUGUNA.....	88 TH	CLAIMANT
BENARD KIILU.....	89 TH	CLAIMANT

DANE OCHIENG SHIKUNYI.....	90 TH CLAIMANT
DICKSON MUCHENA.....	91 ST CLAIMANT
LIVINGSTON OKINYO APOPO.....	92 ND CLAIMANT
JACINTA NDUNGE KIOKO.....	93 RD CLAIMANT
LINET TRUPHENA NYANIKWOGA.....	94 TH CLAIMANT
WILSON K. MUTHIKE	95 TH CLAIMANT
GODFREY GIKONYO GACHIHI.....	96 TH CLAIMANT
ELIZABETH MUMO MUTIE.....	97 TH CLAIMANT
IRUNGU JOHN WAINAINA.....	98 TH CLAIMANT
EVANS OKARU NYANGICHA.....	99 TH CLAIMANT
BENARD OCHIENG RABUOCHE.....	100 TH CLAIMANT
DAVID K. MBUGUA.....	101 ST CLAIMANT
GEOFFREY M. WAWERU.....	103 RD CLAIMANT
DOUGLAS OCHENG OWINYO.....	104 TH CLAIMANT
JOSHUA O. AJIGO.....	105 TH CLAIMANT
PAUL O. NYANJA.....	106 TH CLAIMANT
HARUN N. MBURU.....	107 TH CLAIMANT
PAUL NGANGA NYOIKE.....	108 TH CLAIMANT
JOEL M. MASAKU.....	109 TH CLAIMANT
ZIPPORAH NYABOKE OGAMBA.....	110 TH CLAIMANT
FREDRICK NGUNDO WAMBUA.....	111 TH CLAIMANT
PATRICK OGOLA SHISALA.....	112 TH CLAIMANT
PAUL KAMAU KIMANI.....	113 TH CLAIMANT
EVANS NYABONGI MOMANYI.....	114 TH CLAIMANT
BENARD WAMBUA NZUNGU.....	115 TH CLAIMANT
GEOFFREY N. MUSHIYI.....	116 TH CLAIMANT
HUMPHREY MURITHI.....	117 TH CLAIMANT
WILBERFORCE K. SAMBURUMO.....	118 TH CLAIMANT
JULIUS WAMBUA.....	119 TH CLAIMANT
PATRICK MWANGI.....	120 TH CLAIMANT
STEPHEN MUTUA.....	121 ST CLAIMANT
DOMINIC MULINGE KIMANTHI.....	122 ND CLAIMANT

ALFRED W. MALISIA.....	123 RD CLAIMANT
WILSON WATENE.....	124 TH CLAIMANT
NELSON WAMBUA MAKAU.....	125 TH CLAIMANT
JOSEPH MUTISYA MUSEMBI.....	126 TH CLAIMANT
MICHAEL KASUU WAMBUA.....	127 TH CLAIMANT
PATRICK AKEMBE.....	128 TH CLAIMANT
MARTIN M. IRUNGU.....	129 TH CLAIMANT
SAMWEL WAWERU.....	130 TH CLAIMANT
STEPHEN JAKAITI.....	131 ST CLAIMANT
M. NYANGICHA BERNARD.....	132 ND CLAIMANT
SALAT JOHN M.....	133 RD CLAIMANT
GITAU JOSEPH KIBE.....	134 TH CLAIMANT
PETER A. MEMBA.....	135 TH CLAIMANT

-VERSUS-

GENERAL PLASTICS LIMITED (Under Administration)RESPONDENT

Coram

Before Lady Justice J.W. Keli

C/A Otieno

JUDGMENT

1. Vide a statement of claim dated the 5th of October 2020, the Claimants, following the issuance of separation letters by the administrator of the Respondent, sought the following Orders against the Respondent:-
 - a. A declaration and finding that the Claimant's employment was wrongfully and unfairly terminated and that the said termination of employment is null and void for all intents and purposes.
 - b. An order directing the Respondent to pay the Claimants all their outstanding dues as pleaded in paragraph "13" above.

- c. Costs and interest at court rates from the date of filing this claim until payment in full.
 - d. Any other further or better relief that this Honourable Court may deem fit.
2. The Claimants in support of their claim filed their list of witnesses dated 5th October 2020; witness statement of PETER M. MUKWARIA dated 5th October 2020 made on behalf of the other Claimants pursuant to their authority dated 4th August 2020; and list of documents dated 5th October 2020 with the bundle of documents attached.
 3. The Respondent entered appearance through the firm of Philip Muoka & Company Advocates and filed a memorandum of response dated 17th November 2020. They also filed an undated Notice of Preliminary Objection.

Hearing and evidence

4. The claimant's case was heard on the 3rd June 2025 when the claimants had the claimant no. 53, Peter Mathiu Mkwaria testify on their behalf. He had authority of the other claimants to plead dated 4th August 2020. The witness adopted his witness statement dated 6th October 2020 as the claimants' evidence in chief and produced their documents under list dated 5th October 2020 as C-exhibits 1-9. The witness told the court while the suit was pending he sought leave of the High Court (Insolvency proceedings) to proceed in the case and the same was granted on the 29th September 2022. The witness was cross-examined by counsel for the respondent Mr. Muoka. He was re-examined by their counsel.
5. The respondent's counsel Mr. Muoka told the court it would not call a witness and the respondent's case was closed on even date of 3rd June 2025.

The Claimants' case in summary

6. The Claimants' case is that they were employed by the Respondent on diverse dates between 1991 and 2016 on unlimited terms up to retirement, and stationed at the Respondent's offices and factories at Enterprise Road, Nairobi. On or about 29th January 2020, they were all terminated from employment on purported grounds of redundancy, without warning and/or notice. Prior to the termination of their employment, the Respondent made attempts to force the Claimants to sign new yearly term contracts at a reduced salary without taking into account the duration that they had previously served the Respondent. At the time of the Claimants' termination by the Respondent, the Claimants earned varying monthly salaries plus other benefits including house and transport allowance.

7. It is the Claimants' position that the termination of their employment on grounds of purported redundancy was unprocedural, unfair and unlawful as the Respondent did not adhere to the provisions of the Employment Act, 207 and the Constitution of Kenya 2010 on fair labour practices.

8. The Claimants seek special damages as follows:-

(i) 1ST CLAIMANT-SAMWEL W. MUGO

a) One month's salary in lieu of notice	Kshs. 24,838.80/-
b) Redundancy/Severance pay (15/30days x 29 years x 24,838.80/-)	Kshs 360,162.60/-
c) One month's salary in lieu of redundancy	Kshs 24,838.80/-
d) 12 months' salary for unfair termination (12 x 24,838.80/-)	Kshs. 298,065.60/-
TOTAL	Kshs 707 ,905.80/-

(ii) 2ND CLAIMANT- MOSES MANOTI

a) One month's salary in lieu of notice	Kshs. 24,838.80/-
b) Redundancy/Severance pay (15/30days x 29 years x 24,838.80/-)	Kshs 360,162.60/-
c) One month's salary in lieu of redundancy	Kshs 24,838.80/-
d) 12 months' salary for unfair termination (12 x 24,838.80/-)	Kshs. 298,065.60/-
TOTAL	Kshs 707,905.80/-

(iii) 3RD CLAIMANT- NZANGA NGULI

a) One month's salary in lieu of notice	Kshs. 24,838.80/-
b) Redundancy/Severance pay (15/30days x 29 years x 24,838.80/-)	Kshs 360,162.60/-
c) One month's salary in lieu of redundancy	Kshs 24,838.80/-
d) 12 months' salary for unfair termination (12 x 24,838.80/-)	Kshs. 298,065.60/-
TOTAL	Kshs 707,905.80/-

4TH CLAIMANT- SHEM BUHURU NGAIRA

a) One month's salary in lieu of notice	Kshs. 24,838.80/-
b) Redundancy/Severance pay (15/30days x 29 years x 24,838.80/-)	Kshs 360,162.60/-
c) One month's salary in lieu of redundancy	Kshs 24,838.80/-
d) 12 months' salary for unfair termination (12 x 24,838.80/-)	Kshs. 298,065.60/-
TOTAL	Kshs 707,905.80/-

(iv) 5TH CLAIMANT-PETER WAFULA

a) One month's salary in lieu of notice	Kshs. 28,630.80/-
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b) Redundancy/Severance pay (15/30days x 28 years x 28,630.80/-)	Kshs. 400,831.20/-
c) One month's salary in lieu of redundancy	Kshs. 28,630.80/-
d) 12 months' salary for unfair termination (12 x 28,630.80/-)	Kshs. 343,569.60/-
TOTAL	Kshs. 801,662.40/-

(v) 6TH CLAIMANT- ONESMUS KASINGA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x7 yearsx24,400/-)	Kshs. 329,400/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs. 292,800/-
TOTAL	Kshs. 671,000/-

(vi) 7TH CLAIMANT- JUSTUS ILOVI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x7 yearsx24,400/-)	Kshs. 329,400/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs. 292,800/-
TOTAL	Kshs. 671,000/-

(vii) 8TH CLAIMANT- MUE NZAVI

a) One month's salary in lieu of notice	Kshs. 24,400/-
e) Redundancy/Severance pay (15/30days x7 yearsx24,400/-)	Kshs. 329,400/-
f) One month's salary in lieu of redundancy	Kshs. 24,400/-
g) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs. 292,800/-

TOTAL Kshs. 671,000/-

(viii) 9TH CLAIMANT- PETER MWANZIA

a) One month's salary in lieu of notice Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x7 yearsx24,400/-) Kshs. 329,400/-
c) One month's salary in lieu of redundancy Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-) Kshs. 292,800/-

TOTAL Kshs. 671,000/-

(ix) 10TH CLAIMANT-OBADIA KANIA KAMWENDEIT

a) One month's salary in lieu of notice Kshs. 39,968/-
b) Redundancy/Severance pay (15/30 days x 27 years x 39,968/-) Kshs.539,568/-
c) One month's salary in lieu of redundancy Kshs.39,968/-
d) 12 months' salary for unfair termination (12 x 39,968/-) Kshs. 479,616/-

TOTAL Kshs. 1,099,120/-

(x) 11TH CLAIMANT- YOANA T. ODON GO

a) One month's salary in lieu of notice Kshs.31,264/-
b) Redundancy/Severance pay (15/30days x 27 years x 31,264/-) Kshs. 422,064/-
c) One month's salary in lieu of redundancy Kshs.31,264/-
d) 12 months' salary for unfair termination (12 x 31,264/-) Kshs. 375,168/-

TOTAL Kshs. 859,760/-

(xi) 12TH CLAIMANT- ALEX WAFULA

a) One month's salary in lieu of notice	Kshs.24,400/-
b) Redundancy/Severance pay (15/30days x 27 years x 24,400/-)	Kshs. 329,400/-
c) One month's salary in lieu of redundancy	Kshs.24, 400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs.292,800/-
TOTAL	Kshs. 671,000/-

(xii) 13TH CLAIMANT-PAUL LUSI

a) One month's salary in lieu of notice	Kshs.24,400/-
b) Redundancy/Severance pay (15/30days x 27 years x 24,400/-)	Kshs. 329,400/-
c) One month's salary in lieu of redundancy	Kshs.24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs.292,800/-
TOTAL	Kshs. 671,000/-

(xiii) 14TH CLAIMANT-PAUL NYAMORA

a) One month's salary in lieu of notice	Kshs.24,400/-
b) Redundancy/Severance pay (15/30days x 27 years x 24,400/-)	Kshs. 329,400/-
c) One month's salary in lieu of redundancy	Kshs.24, 400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs.292,800/-
TOTAL	Kshs. 671,000/-

(xiv) 15TH CLAIMANT- .JOHN MASINDE

a) One month's salary in lieu of notice	Kshs.24, 400/-
b) Redundancy/Severance pay (15/30days x 27 years x 24,400/-)	Kshs. 329,400/-
c) One month's salary in lieu of redundancy	Kshs.24, 400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs.292,800/-

TOTAL Kshs. 671,000/-

(xv) 16TH CLAIMANT- HARRISON G. KARUBIU

- a) One month's salary in lieu of notice Kshs.24,400/-
- b) Redundancy/Severance pay (15/30days x 26 years x24,400/-)Kshs.317,200/-
- c) One month's salary in lieu of redundancy Kshs. 24,400/-
- d) 12 months' salary for unfair termination (12 x 24,400/-) Kshs. 292,800/-

TOTAL Kshs. 658,800/-

(xvi) 17TH CLAIMANT-PIUS BENSON OBONYO

- a) One month's salary in lieu of notice Kshs.24,400/-
- b) Redundancy/Severance pay (15/30days x 26 years x24,400/-)Kshs.317,200/-
- c) One month's salary in lieu of redundancy Kshs. 24,400/-
- d) 12 months' salary for unfair termination (12 x 24,400/-) Kshs. 292,800/-

TOTAL Kshs. 658,800/-

(xvii)18TH CLAIMANT- MUTINDA MUSANGO

- a) One month's salary in lieu of notice Kshs.24,400/-
- b) Redundancy/Severance pay (15/30days x 26 years x24,400/-) Kshs.317,200/-
- c) One month's salary in lieu of redundancy Kshs. 24,400/-
- d) 12 months' salary for unfair termination (12 x 24,400/-) Kshs. 292,800/-

TOTAL Kshs. 658,800/-

(xviii) 19TH CLAIMANT- PETER M. MAREGE

- a) One month's salary in lieu of notice Kshs.24,400/-
- b) Redundancy/Severance pay (15/30days x 26 years x24,400/-) Kshs.317,200/-

c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs. 292,800/-
TOTAL	Kshs. 658,800/-

(xix) 20TH CLAIMANT- FRANCIS WAITHAKA NYOKABI

a) One month's salary in lieu of notice	Kshs.24,400/-
b) Redundancy/Severance pay (15/30days x 26 years x24,400/-)	Kshs.317,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs. 292,800/-
TOTAL	Kshs. 658,800/-

(xx) 21ST CLAIMANT- MANOTI K MACHOGU

a) One month's salary in lieu of notice	Kshs.24,400/-
b) Redundancy/Severance pay (15/30days x 26 years x24,400/-)	Kshs.317,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs. 292,800/-
TOTAL	Kshs. 658,800/-

(xxi) 22ND CLAIMANT-PETER T. MWAGANU

a) One month's salary in lieu of notice	Kshs.29,090/-
b) Redundancy/Severance pay (15/30days x 26 years x29,090/-)	Kshs.78,170/
c) One month's salary in lieu of notice	Kshs. 29,090/-
d) 12 months' salary for unfair termination (12 x 29,090/-)	Kshs. 349,080/-
TOTAL	Kshs785,430/-

(xxii) 23RD CLAIMANT- BENARD GICHIMU MACHARIA

a) One month's salary in lieu of notice	Kshs.29,566.80/-
b) Redundancy/Severance pay (15/30days x 26 years x 29,566.80/-)	Kshs 384,368.40/-
c) One month's salary in lieu of redundancy	Kshs 29,566.80/-
d) 12 months' salary for unfair termination (12 x 29,566.80/-/-)	Kshs 354,801.60/-
TOTAL	Kshs 798,303.60/-

(xxiii) 24TH CLAIMANT- JOTHAM MANUEL ONDEKO

a) One month's salary in lieu of notice	Kshs.24,400/-
b) Redundancy/Severance pay (15/30days x 26 years x24,400/-)	Kshs.317,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs. 292,800/-
TOTAL	Kshs. 658,800/-

(xxiv) 25TH CLAIMANT- VINCENT ODUOR WATOYI

a) One month's salary in lieu of notice	Kshs.24,400/-
b) Redundancy/Severance pay (15/30days x 26 years x24,400/-)	Kshs.317,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs. 292,800/-
TOTAL	Kshs. 658,800/-

(xxv) 26TH CLAIMANT- MARTIN IMO OTIYA

a) One month's salary in lieu of notice	Kshs.24,400/-
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b) Redundancy/Severance pay (15/30days x 26 years x24,400/-)	Kshs.317,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs. 292,800/-
TOTAL	Kshs. 658,800/-

(xxvi) 27TH CLAIMANT- JOHN MAINA KAMAU

a) One month's salary in lieu of notice	Kshs. 88,620/-
b) Redundancy/Severance pay (15/30days x 26 years x 88,620/-)	Kshs. 1,152,060/-
c) One month's salary in lieu of redundancy	Kshs. 88,620/-
d) 12 months' salary for unfair termination (12 x 88,620/-)	Kshs. 1,063,440/-
TOTAL	Kshs. 2,392,740/-

(xxvii) 28TH CLAIMANT- PATRICK ODHIAMBO OGARA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 26 years x 24,400/-)	Kshs.317,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs. 292,800/-
TOTAL	Kshs. 658,800/-

(xxviii) 29TH CLAIMANT- FRANCIS BARAZA OKULO

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 26 years x 24,400/-)	Kshs.317,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs. 292,800/-

TOTAL Kshs. 658,800/-

(xxix) 30TH CLAIMANT- PATRICK LIROBA MUNGALIZI

a) One month's salary in lieu of notice Kshs. 24,400/-

b) Redundancy/Severance pay (15/30days x 26 years x 24,400/-) Kshs.317,200/-

c) One month's salary in lieu of redundancy Kshs. 24,400/-

d) 12 months' salary for unfair termination (12 x 24,400/-) Kshs. 292,800/-

TOTAL Kshs. 658,800/-

(xxx) 31ST CLAIMANT- MOSES KWARA JUMA

a) One month's salary in lieu of notice Kshs. 24,400/-

b) Redundancy/Severance pay (15/30days x 26 years x 24,400/-) Kshs.317,200/-

c) One month's salary in lieu of redundancy Kshs. 24,400/-

d) 12 months' salary for unfair termination (12 x 24,400/-) Kshs. 292,800/-

TOTAL Kshs. 658,800/-

(xxxii) 32ND CLAIMANT- CHARLES GICHANE MWANGI

a) One month's salary in lieu of notice Kshs. 24,400/-

b) Redundancy/Severance pay (15/30days x 26 years x 24,400/-) Kshs.317,200/-

c) One month's salary in lieu of redundancy Kshs. 24,400/-

d) 12 months' salary for unfair termination (12 x 24,400/-) Kshs. 292,800/-

TOTAL Kshs. 658,800/-

(xxxiii) 33RD CLAIMANT- PATRICK ONJONGO KENGARA

a) One month's salary in lieu of notice Kshs. 24,400/-

b) Redundancy/Severance pay (15/30days x 26 years x 24,400/-)	Kshs.317,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs. 292,800/-
TOTAL	Kshs. 658,800/-

(xxxiii) 34TH CLAIMANT- JOSEPH M. MAINGI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 26 years x 24,400/-)	Kshs.317,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24,400/-)	Kshs. 292,800/-
TOTAL	Kshs. 658,800/-

(xxxiv) 35TH CLAIMANT- NATHANIEL NGUTHU MUTHENGI

a) One month's salary in lieu of notice	Kshs. 33,327.60/-
b) Redundancy/Severance pay (15/30days x 26 years x 33,327.60/-)	Kshs. 433,258.80
c) One month's salary in lieu of redundancy	Kshs. 33,3287/-
d) 12 months' salary for unfair termination (12 x 33,327.60/-)	Kshs.399,931.20/-
TOTAL	Kshs. 899,845.20/-

(xxxv) 36TH CLAIMANT- CHARLES ORIEKO MAKORI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 25 years x24,400/-)	Kshs. 305,000/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-

TOTAL Kshs. 646,600/-

(xxxvi) 37TH CLAIMANT- GERISHON N. MUNGAI

- a) One month's salary in lieu of notice Kshs. 24,400/-
- b) Redundancy/Severance pay (15/30days x 25 years x24,400/-) Kshs. 305,000/-
- c) One month's salary in lieu of redundancy Kshs. 24,400/-
- d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-

TOTAL Kshs. 646,600/-

(xxxvii) 38TH CLAIMANT- BENARD MANGENI OKEDA

- a) One month's salary in lieu of notice Kshs. 24,400/-
- b) Redundancy/Severance pay (15/30days x 25 years x24,400/-) Kshs. 305,000/-
- c) One month's salary in lieu of redundancy Kshs. 24,400/-
- d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-

TOTAL Kshs. 646,600/-

(xxxviii) 39TH CLAIMANT- FRED S. LUVIRHA

- a) One month's salary in lieu of notice Kshs. 33,327.60/-
- b) Redundancy/Severance pay (15/30days x 25 years x 33,327.60/-) Kshs. 416,587/-
- c) One month's salary in lieu of redundancy Kshs. 33,3287/-
- d) 12 months' salary for unfair termination (12 x 33,327.60/-) Kshs.399,931.20/-

TOTAL Kshs. 883,165/-

(xxxix) 40TH CLAIMANT- JOSEPH W. NGUI

- a) One month's salary in lieu of notice Kshs. 24,400/-

b) Redundancy/Severance pay (15/30days x 25 years x24,400/-)	Kshs. 305,000/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs. 646,600/-

(xi) 41ST CLAIMANT-ALOYS M. OSIRI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 25 years x24,400/-)	Kshs. 305,000/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs. 646,600/-

(xii) 42ND CLAIMANT-REUBEN NGINYA MUIRURI

a) One month's salary in lieu of notice	Kshs. 31,770/-
b) Redundancy/Severance pay (15/30days x 24 years x 31,770/-)	Kshs. 381,264/-
c) One month's salary in lieu of redundancy	Kshs. 31,770/-
d) 12 months' salary for unfair termination (12 x 31,770/-)	Kshs. 381,264/-
TOTAL	Kshs. 862,068/-

(xiii) 43RD CLAIMANT- LUCAS HENSREY OGATO

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 24 years x24,400/-)	Kshs. 292,800/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-

TOTAL Kshs. 634,400/-

(xliv) 44TH CLAIMANT-GEORGE N. NGARIU

a) One month's salary in lieu of notice Kshs. 24,400/-

b) Redundancy/Severance pay (15/30days x 24 years x24,400/-) Kshs. 292,800/-

c) One month's salary in lieu of redundancy Kshs. 24,400/-

d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-

TOTAL Kshs. 634,400/-

(xlv) 45TH CLAIMANT- JOEL N. NZINGA

a) One month's salary in lieu of notice Kshs. 24,400/-

b) Redundancy/Severance pay (15/30days x 24 years x24,400/-) Kshs. 292,800/-

c) One month's salary in lieu of redundancy Kshs. 24,400/-

d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-

TOTAL Kshs. 634,400

(xlv) 46TH CLAIMANT- JOSEPH G. MWIHA

a) One month's salary in lieu of notice Kshs. 24,400/-

b) Redundancy/Severance pay (15/30days x 24 years x24,400/-) Kshs. 292,800/-

c) One month's salary in lieu of redundancy Kshs. 24,400/-

d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-

TOTAL Kshs. 634,400

(xlvi) 47TH CLAIMANT- MOSES NGOTHO

a) One month's salary in lieu of notice Kshs. 24,400/-

b) Redundancy/Severance pay (15/30days x 24 years x24,400/-)	Kshs. 292,800/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs. 634,400

(xlvi) 48TH CLAIMANT - DAVID MWAURA NGIGI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 24 years x24,400/-)	Kshs. 292,800/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs. 634,400

(xlviii) 49TH CLAIMANT- JULIUS O. OYUOLO

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 24 years x24,400/-)	Kshs. 292,800/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.634,400

(xlix) 50TH CLAIMANT- DANIEL O. OGADA

a) One month's salary in lieu of notice	Kshs.25,976.40/-
b) Redundancy/Severance pay (15/30days x 24 years x 25,976.40/-)	Kshs.311,716.80/-
c) One month's salary in lieu of redundancy	Kshs.25,976.40/-
d) 12 months' salary for unfair termination (12 x 25,976.40/-)	Kshs. 311,716.80/-

TOTAL · Kshs. 675,376.40/-

(l) 51ST CLAIMANT- PAUL MAITHYA KIMANTHI

a One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 24 years x24,400/-)	Kshs. 292,800/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.634,400/-

(li) 52ND CLAIMANT- HEZRON OYORE MONG' ARE

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 24 years x24,400/-)	Kshs. 292,800/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.634,400/-

(lii) 53RD CLAIMANT- PETER M. ATHIU MKWARIA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 24 years x24,400/-)	Kshs. 292,800/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.634,400/-

(liii) 54TH CLAIMANT- ANTHONY NYAMU MWANIKI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 24 years x24,400/-)	Kshs. 292,800/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.634,400/-

(liv) 55TH CLAIMANT- JAMES N. ORANGI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 24 years x24,400/-)	Kshs. 292,800/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.634,400/-

(lv) 56TH CLAIMANT- PATRICK MURIUKI NJUE

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 24 years x24,400/-)	Kshs. 292,800/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.634,400/-

(lvi) 57TH CLAIMANT- WASHINGTON OTIENO

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 24 years x24,400/-)	Kshs. 292,800/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-

TOTAL Kshs.634,400/-

(lvii) 58TH CLAIMANT- JOSEPH KIUNGU KIRERA

- a) One month's salary in lieu of notice Kshs. 24,400/-
- b) Redundancy/Severance pay (15/30days x 24 years x24,400/-) Kshs. 292,800/-
- c) One month's salary in lieu of redundancy Kshs. 24,400/-
- d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-

TOTAL Kshs.634,400/-

(lix) 59TH CLAIMANT-KENNEDY SOME NYAKORA

- a) One month's salary in lieu of notice Kshs. 27,550,80
- b) Redundancy/Severance pay (15/30days x 24 years x 27550.80/-) Kshs.330,609.60/-
- c) One month's salary in lieu of redundancy Kshs. 27,550.80/-
- d) 12 months' salary for unfair termination (12 x 27550.80/-) Kshs. 330609.60/-

TOTAL Kshs. 716,320.80/-

(Ix) 60TH CLAIMANT-WELLINGTON MUSIMBA KIVUNGI

- a) One month's salary in lieu of notice Kshs. 24,400/-
- b) Redundancy/Severance pay (15/30days x 24 years x24,400/-) Kshs. 292,800/-
- c) One month's salary in lieu of redundancy Kshs. 24,400/-
- d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-

TOTAL Kshs.634,400/-

(Ixi) 61ST CLAIMANT-NGOVE NYAMAI NGOVE

- a) One month's salary in lieu of notice Kshs. 24,400/-

b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.622,200/-

(Ixii) 62ND CLAIMANT-JOSEPH MOSOTI NYAKUNDI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.622,200/-

(Ixiii) 63RD CLAIMANT-PETER KYUMA MUNYWOKI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.622,200/-

(Ixiv) 64TH CLAIMANT-FRANCIS KIMITA OWINO

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-

TOTAL Kshs.622,200/-

(Ixxv) 65TH CLAIMANT-DANCAN M.VOHOYA

- a) One month's salary in lieu of notice Kshs. 24,400/-
- b) Redundancy/Severance pay (15/30days x 23 years x24,400/-) Kshs. 280,600/-
- c) One month's salary in lieu of redundancy Kshs. 24,400/-
- d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-

TOTAL Kshs.622,200/-

(Ixxvi) 66TH CLAIMANT-ELIZABETH MWENDE MURIRA

- a) One month's salary in lieu of notice Kshs. 24,400/-
- b) Redundancy/Severance pay (15/30days x 23 years x24,400/-) Kshs. 280,600/-
- c) One month's salary in lieu of redundancy Kshs. 24,400/-
- d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-

TOTAL Kshs.622,200/-

(Ixxvii) 67TH CLAIMANT-THOMAS ONGIGE

- a) One month's salary in lieu of notice Kshs. 24,400/-
- b) Redundancy/Severance pay (15/30days x 23 years x24,400/-) Kshs. 280,600/-
- c) One month's salary in lieu of redundancy Kshs. 24,400/-
- d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-

TOTAL Kshs.622,200/-

(Ixxviii) 68TH CLAIMANT-PATRICK N. KANG'ETHE

- a) One month's salary in lieu of notice Kshs. 24,400/-

b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.622,200/-

(Ixxix) 69TH CLAIMANT-FREDRICK S. MAFUMBA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.622,200/-

(Ixxx) 70TH CLAIMANT-PAUL OTIENDE

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.622,200/-

(Ixxxi) 71ST CLAIMANT-MEDY JOEL AURA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-

TOTAL Kshs.622,200/-

(Ixxii) 72ND CLAIMANT-PHILIP PETER KIMANI

- a) One month's salary in lieu of notice Kshs. 24,400/-
- b) Redundancy/Severance pay (15/30days x 23 years x24,400/-) Kshs. 280,600/-
- c) One month's salary in lieu of redundancy Kshs. 24,400/-
- d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-

TOTAL Kshs.622,200/-

(Ixxiii) 73RD CLAIMANT-PETER NGUGI NDUNG'U

- a) One month's salary in lieu of notice Kshs. 24,400/-
- b) Redundancy/Severance pay (15/30days x 23 years x24,400/-) Kshs. 280,600/-
- c) One month's salary in lieu of redundancy Kshs. 24,400/-
- d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-

TOTAL Kshs.622,200/-

(Ixxiv) 74TH CLAIMANT-FRANCIS KARINGI KURIA

- a) One month's salary in lieu of notice Kshs. 24,400/-
- b) Redundancy/Severance pay (15/30days x 23 years x24,400/-) Kshs. 280,600/-
- c) One month's salary in lieu of redundancy Kshs. 24,400/-
- d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-

TOTAL Kshs.622,200/-

(Ixxv)75TH CLAIMANT-THADEUS K. KIMEU

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.622,200/-

(Ixxvi) 76TH CLAIMANT-JULIUS NYERERE OGADA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.622,200/-

(Ixxvii) 77TH CLAIMANT-JOSEPH MUIINDE

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.622,200/-

(Ixxviii) 78TH CLAIMANT-STEPHEN NDUNGU NGIRI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-

c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.622,200/-

(Ixxix) 79TH CLAIMANT-PETER NDIRANGU WAMBUGU

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.622,200/-

(lxxx) 80TH CLAIMANT-PETER M.MWIHAKI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.622,200/-

(Ixxxi) 81ST CLAIMANT-DANIEL MUTINDA KIOKO

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-

TOTAL Kshs.622,200/-

(Ixxxii) 82ND CLAIMANT-GEOFFREY MAILU MUTHAMI

a) One month's salary in lieu of notice Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-) Kshs. 280,600/-
c) One month's salary in lieu of redundancy Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-
TOTAL Kshs.622,200/-

(Ixxxiii) 83RD CLAIMANT-DOUGLAS NYAKUNDI MAIKO

a) One month's salary in lieu of notice Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-) Kshs. 280,600/-
c) One month's salary in lieu of redundancy Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-
TOTAL Kshs.622,200/-

(Ixxxiv) 84TH CLAIMANT-ANTONY M. AIRO

a) One month's salary in lieu of notice Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-) Kshs. 280,600/-
c) One month's salary in lieu of redundancy Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-) Kshs. 292,800/-
TOTAL Kshs.622,200/-

(Ixxxv) 85TH CLAIMANT-FLORENCE E. AKWANGA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 23 years x24,400/-)	Kshs. 280,600/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.622,200/-

(Ixxxvi) 86TH CLAIMANT-PETER K. KABUI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 22 years x24,400/-)	Kshs. 268,400/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.610,000/-

(Ixxxvii) 87TH CLAIMANT-SAMSON O. OCHOLA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 22 years x24,400/-)	Kshs. 268,400/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.610,000/-

(Ixxxviii) 88TH CLAIMANT-PETER THUKU NJUGUNA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 22 years x24,400/-)	Kshs. 268,400/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.610,000/-

(lxxxix) 89TH CLAIMANT-BENARD M. KIILU

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 22 years x24,400/-)	Kshs. 268,400/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.610,000/-

(xc) 90TH CLAIMANT-DANE OCHIENG SHIKUNYI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 22 years x24,400/-)	Kshs. 268,400/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.610,000/-

(xci) 91ST CLAIMANT-IDICKSON MUCHENA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 22 years x24,400/-)	Kshs. 268,400/-

c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.610,000/-

(xcii) 92ND CLAIMANT-OKINYO APOPO LIVINGSTONE

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 22 years x24,400/-)	Kshs. 268,400/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.610,000/-

(xcii) 93RD CLAIMANT-JACINTA NDUNGE KIOKO

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 22 years x24,400/-)	Kshs. 268,400/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.610,000/-

(xciv) 94TH CLAIMANT-LINET TRUPHENA NYANKWONGO

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 22 years x24,400/-)	Kshs. 268,400/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.610,000/-

(xcv) 95TH CLAIMANT- WILSON K.MUTHIKE

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(xevi) 96TH CLAIMANT-GODFREY GIKONYO GACHIHI

a) One month's salary in lieu of notice	Kshs. 25,660/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 269,430/-
c) One month's salary in lieu of redundancy	Kshs. 25,660/-
d) 12 months' salary for unfair termination (12 x Kshs. 25,660/-)	Kshs. 307,920/-
TOTAL	Kshs.628,670/-

(xcvii) 97TH CLAIMANT-ELIZABETH MUMO MUTIE

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(xcviii) 98TH CLAIMANT-IRUNGU JOHN WAINAINA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(xcix) 99TH CLAIMANT-EVANS OKARU NYANGICHA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(c) 100TH CLAIMANT-BENARD OCHIENG RABUOCHE

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(ci) 101ST CLAIMANT-DAVID K. MBUGUA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-

c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(cii) 102ND CLAIMANT-CEPHAS K. MWANGI

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(ciii) 103RD CLAIMANT-GEOFFREY M. WAWERU

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(civ) 104TH CLAIMANT-DOUGLAS OCHENG OWINYO

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(cv) 105TH CLAIMANT-JOSHUA O.OJIGO

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(cvi) 106TH CLAIMANT-PAUL O. NYANJA

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(cvii)107TH CLAIMANT-HARUN N.MBURU

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(cviii) 108TH CLAIMANT-PAUL NGANGA NYOIKE

a) One month's salary in lieu of notice	Kshs. 24,400/-
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b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(cix) 109TH CLAIMANT-JOEL N.MASAKU

a) One month's salary in lieu of notice	Kshs. 24,400/-
b) Redundancy/Severance pay (15/30days x 21 years x24,400/-)	Kshs. 256,200/-
c) One month's salary in lieu of redundancy	Kshs. 24,400/-
d) 12 months' salary for unfair termination (12 x 24, 400/-)	Kshs. 292,800/-
TOTAL	Kshs.579,800/-

(cx)110TH CLAIMANT-ZIPPORAH NYABOKE OGAMBA

a) One month's salary in lieu of notice	Kshs. 21,750/-
b) Redundancy/Severance pay (15/30days x 20 years x 21,750/-)	Kshs. 217,500/-
c) One month's salary in lieu of redundancy	Kshs. 21,750/-
d) 12 months' salary for unfair termination (12 x Kshs. 21,750/-)	Kshs. 261,000/-
TOTAL	Kshs.522,000/-

(cxi)111TH CLAIMANT-FREDRICK NGUNDO WAMBUA

a) One month's salary in lieu of notice	Kshs. 21,750/-
b) Redundancy/Severance pay (15/30days x 20 years x 21,750/-)	Kshs. 217,500/-
c) One month's salary in lieu of redundancy	Kshs. 21,750/-

d) 12 months' salary for unfair termination (12 x Kshs. 21,750/-) Kshs. 261,000/-
TOTAL Kshs.522,000/-

(cxii)112TH CLAIMANT-PATRICK OGOLA SHISALA

a) One month's salary in lieu of notice Kshs. 21,750/-
b) Redundancy/Severance pay (15/30days x 20 years x 21,750/-) Kshs. 217,500/-
c) One month's salary in lieu of redundancy Kshs. 21,750/-
d) 12 months' salary for unfair termination (12 x Kshs. 21,750/-) Kshs. 261,000/-
TOTAL Kshs.522,000/-

(cxiii) 113TH CLAIMANT-PAUL KAMAU KIMANI

a) One month's salary in lieu of notice Kshs. 21,750/-
b) Redundancy/Severance pay (15/30days x 20 years x 21,750/-) Kshs. 217,500/-
c) One month's salary in lieu of redundancy Kshs. 21,750/-
d) 12 months' salary for unfair termination (12 x Kshs. 21,750/-) Kshs. 261,000/-
TOTAL Kshs.522,000/-

(cxiv) 114TH CLAIMANT-EVANS NYABONGI MOMANYI

a) One month's salary in lieu of notice Kshs. 21,750/-
b) Redundancy/Severance pay (15/30days x 20 years x 21,750/-) Kshs. 217,500/-
c) One month's salary in lieu of redundancy Kshs. 21,750/-
d) 12 months' salary for unfair termination (12 x Kshs. 21,750/-) Kshs. 261,000/-
TOTAL Kshs.522,000/-

(cxv)115TH CLAIMANT-BERNARD WAMBUA NZUNGU

a) One month's salary in lieu of notice	Kshs. 21,750/-
b) Redundancy/Severance pay (15/30days x 20 years x 21,750/-)	Kshs. 217,500/-
c) One month's salary in lieu of redundancy	Kshs. 21,750/-
d) 12 months' salary for unfair termination (12 x Kshs. 21,750/-)	Kshs. 261,000/-
TOTAL	Kshs.522,000/-

(cxvi) 116TH CLAIMANT-GEOFFREY N.MUSHIYI

a) One month's salary in lieu of notice	Kshs. 21,750/-
b) Redundancy/Severance pay (15/30days x 20 years x 21,750/-)	Kshs. 217,500/-
c) One month's salary in lieu of redundancy	Kshs. 21,750/-
d) 12 months' salary for unfair termination (12 x Kshs. 21,750/-)	Kshs. 261,000/-
TOTAL	Kshs.522,000/-

(cxvii) 117TH CLAIMANT-HUMPHREY M.SHADRACK

a) One month's salary in lieu of notice	Kshs. 21,750/-
b) Redundancy/Severance pay (15/30days x 20 years x 21,750/-)	Kshs. 217,500/-
c) One month's salary in lieu of redundancy	Kshs. 21,750/-
d) 12 months' salary for unfair termination (12 x Kshs. 21,750/-)	Kshs. 261,000/-
TOTAL	Kshs.522,000/-

(cxviii) 118TH CLAIMANT-WILBERFOREC K.SAMBURUMO

a) One month's salary in lieu of notice	Kshs. 21,750/-
b) Redundancy/Severance pay (15/30days x 20 years x 21,750/-)	Kshs. 217,500/-
c) One month's salary in lieu of redundancy	Kshs. 21,750/-

d) 12 months' salary for unfair termination (12 x Kshs. 21,750/-)	Kshs. 261,000/-
TOTAL	Kshs.522,000/-

(cxix) 119TH CLAIMANT-JULIUS WAMBUA

a) One month's salary in lieu of notice	Kshs. 23,280/-
b) Redundancy/Severance pay (15/30days x 16 years x 23,280/-)	Kshs. 186,240/-
c) One month's salary in lieu of redundancy	Kshs. 23,280/-
d) 12 months' salary for unfair termination (12 x 23,280/-)	Kshs. 279,360/-
TOTAL	Kshs.612,160/-

(cxx) 120TH CLAIMANT-STEPHEN MUTUA

a) One month's salary in lieu of notice	Kshs. 20,506/-
b) Redundancy/Severance pay (15/30days x 16 years x 20,506/-)	Kshs. 164,048/-
c) One month's salary in lieu of redundancy	Kshs. 20,506/-
d) 12 months' salary for unfair termination (12 x Kshs. 20,506/-)	Kshs. 246,072/-
TOTAL	Kshs.451,149/-

(cxxi) 121ST CLAIMANT-PATRICK MWANGI

a) One month's salary in lieu of notice	Kshs. 23,280/-
b) Redundancy/Severance pay (15/30days x 16 years x 23,280/-)	Kshs. 186,240/-
c) One month's salary in lieu of redundancy	Kshs. 23,280/-
d) 12 months' salary for unfair termination (12 x 23,280/-)	Kshs. 279,360/-
TOTAL	Kshs.612,160/-

(cxxii) 122ND CLAIMANT-DOMINIC MULINGE KIMANTHI

a) One month's salary in lieu of notice	Kshs. 20,506/-
b) Redundancy/Severance pay (15/30days x 16 years x 20,506/-)	Kshs. 164,048/-
c) One month's salary in lieu of redundancy	Kshs. 20,506/-
d) 12 months' salary for unfair termination (12 x Kshs. 20,506/-)	Kshs. 246,072/-
TOTAL	Kshs.451,149/-

(cxxiii) 123RD CLAIMANT-ALFRED W.MALISIA

a) One month's salary in lieu of notice	Kshs. 20,506/-
b) Redundancy/Severance pay (15/30days x 16 years x 20,506/-)	Kshs. 164,048/-
c) One month's salary in lieu of redundancy	Kshs. 20,506/-
d) 12 months' salary for unfair termination (12 x Kshs. 20,506/-)	Kshs. 246,072/-
TOTAL	Kshs.451,149/-

b) 124TH CLAIMANT-WILSON WATENE

a) One month's salary in lieu of notice	Kshs. 20,506/-
b) Redundancy/Severance pay (15/30days x 16 years x 20,506/-)	Kshs. 164,048/-
c) One month's salary in lieu of redundancy	Kshs. 20,506/-
d) 12 months' salary for unfair termination (12 x Kshs. 20,506/-)	Kshs. 246,072/-
TOTAL	Kshs.451,149/-

(c) 125TH CLAIMANT-NELSON WAMBUA MAKAU

a) One month's salary in lieu of notice	Kshs. 20,506/-
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b) Redundancy/Severance pay (15/30days x 16 years x 20,506/-)	Kshs. 164,048/-
c) One month's salary in lieu of redundancy	Kshs. 20,506/-
d) 12 months' salary for unfair termination (12 x Kshs. 20,506/-)	Kshs. 246,072/-
TOTAL	Kshs.451,149/-

d) 126TH CLAIMANT-JOSEPH MUTISYA MUSEMBI

a) One month's salary in lieu of notice	Kshs. 20,506.80
b) Redundancy/Severance pay (15/30days x 16 years x 20,506.80)	Kshs. 164,054.40
c) One month's salary in lieu of redundancy	Kshs. 20,506.80
d) 12 months' salary for unfair termination (12 x Kshs. 20,506.80)	Kshs. 246,081.60
TOTAL	Kshs.451,149.60/-

e)127TH CLAIMANT-MICHAEL KASUU WAMBUA

a) One month's salary in lieu of notice	Kshs. 20,506.80
b) Redundancy/Severance pay (15/30days x 16 years x 20,506.80)	Kshs. 164,054.40
c) One month's salary in lieu of redundancy	Kshs. 20,506.80
d) 12 months' salary for unfair termination (12 x Kshs. 20,506.80)	Kshs. 246,081.60
TOTAL	Kshs.451,149.60/-

f) 128TH CLAIMANT-PATRICK AKEMBE

a) One month's salary in lieu of notice	Kshs. 23,280/-
b) Redundancy/Severance pay (15/30days x 16 years x 23,280/-)	Kshs. 186,240/-
c) One month's salary in lieu of redundancy	Kshs. 23,280/-
d) 12 months' salary for unfair termination (12 x 23,280/-)	Kshs. 279,360/-

TOTAL Kshs.612,160/-

g) 129TH CLAIMANT-MARTIN M.IRUNGU

a) One month's salary in lieu of notice Kshs. 20,506/-
b) Redundancy/Severance pay (15/30days x 16 years x 20,506/-) Kshs. 164,048/-
c) One month's salary in lieu of redundancy Kshs. 20,506/-
d) 12 months' salary for unfair termination (12 x Kshs. 20,506/-) Kshs. 246,072/-
TOTAL Kshs.451,149/-

h) 130TH CLAIMANT-SAMUEL WAWERU

a) One month's salary in lieu of notice Kshs. 20,506/-
b) Redundancy/Severance pay (15/30days x 16 years x 20,506/-) Kshs. 164,048/-
c) One month's salary in lieu of redundancy Kshs. 20,506/-
d) 12 months' salary for unfair termination (12 x Kshs. 20,506/-) Kshs. 246,072/-
TOTAL Kshs.451,149/-

i) 131ST CLAIMANT-STEPHEN JAKAIT

a) One month's salary in lieu of notice Kshs. 20,506/-
b) Redundancy/Severance pay (15/30days x 16 years x 20,506/-) Kshs. 164,048/-
c) One month's salary in lieu of redundancy Kshs. 20,506/-
d) 12 months' salary for unfair termination (12 x Kshs. 20,506/-) Kshs. 246,072/-
TOTAL Kshs.451,149/-

j) 132ND CLAIMANT-M. NYANGICHA BENARD

a) One month's salary in lieu of notice	Kshs. 29,412/-
b) Redundancy/Severance pay (15/30days x 4 years x 29,412/-)	Kshs. 58,824/-
c) One month's salary in lieu of redundancy	Kshs. 29,412/-
d) 12 months' salary for unfair termination (12 x Kshs. 29,412/-)	Kshs. 352,944/-
TOTAL	Kshs.470,592/-

k) 133RD CLAIMANT-SALAT JOHN M.

a) One month's salary in lieu of notice	Kshs. 35,002/-
b) Redundancy/Severance pay (15/30days x 4 years x 35,002/-)	Kshs. 70,004/-
c) One month's salary in lieu of redundancy	Kshs. 35,002/-
d) 12 months' salary for unfair termination (12 x Kshs. 35,002/-)	Kshs. 420,024/-
TOTAL	Kshs.560,032/-

l) 134TH CLAIMANT-GITAU JOSEPH KIBE

a) One month's salary in lieu of notice	Kshs. 27,646/-
b) Redundancy/Severance pay (15/30days x 4 years x 27,646/-)	Kshs. 55,292/-
c) One month's salary in lieu of redundancy	Kshs. 27,646/-
d) 12 months' salary for unfair termination (12 x Kshs. 27,646/-)	Kshs. 331,752/-
TOTAL	Kshs.442,336/-

m) 135TH CLAIMANT-PETER A. MEMBA

a) One month's salary in lieu of notice	Kshs. 27,646/-
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b) Redundancy/Severance pay (15/30days x 4 years x 27,646/-)	Kshs. 55,292/-
c) One month's salary in lieu of redundancy	Kshs. 27,646/-
d) 12 months' salary for unfair termination (12 x Kshs. 27,646/-)	Kshs. 331,752/-
TOTAL	Kshs.442,336/-

Respondent's case in brief

9. The Respondent challenges the suit for being misconceived and devoid of merit for the reason that legal proceedings cannot be sustained against the Respondent company which is under administration per the produced Gazette Notice No. 931 in light of the provisions of the Insolvency Act No. 18 of 2015.

DETERMINATION

Issues for determination

10. The court on perusal of the pleadings, proceedings and the submissions of the parties was of the considered opinion that the issues placed before the court by the parties for determination in the suit were-

a. whether the notice of preliminary objection that the proceedings are malafides, illegal for reason of the respondent being a company under administration under administration as per Gazette Notice No. 931 and in contravention of Insolvency Act No 18 of 2015 Laws of Kenya

if (a) in negative the court to further consider -

(b) whether the termination was unfair.

(c) whether the claimants are entitled to relief sought.

Whether the notice of preliminary objection that the proceedings are malafides, illegal for b. Gazette Notice No. 931 and in contravention of Insolvency Act No 18 of 2015 Laws of Kenya

11. The respondent filed undated notice of preliminary objection as follows- *‘TAKE NOTICE that at the hearing of the suit herein and on the same date, Counsel for the Respondent will contend as a preliminary point of law, to be determined in limine, that the Claimant's commencement and/or continuation of legal proceedings especially the hearing of this suit against the Respondent is hopelessly misconceived, totally devoid of merit and mala fides for the reason inter alia, that legal proceedings began or continued against the Respondent being a Company under Administration per the attached Gazette Notice No. 931) are illegal in as far as they contravene the provisions of the Insolvency Act, No. 18 of 2015 Laws of Kenya.’*

The respondent’s submissions on the Notice of Preliminary Objection

12. It is submitted that the Claimants herein failed to exhaust the remedies provided under part VIII of the Employment Act at section 66 to 73. Section 66 of the Employment Act provides as follows; 66. Insolvency of employer provides – ‘Where on an application made to him in writing by an employee or his representative the Minister is satisfied that—
- a. the employer of an employee has become insolvent;
 - b. the employment of the employee has been terminated; and
 - c. on the appropriate date the employee was entitled to be paid the whole or part of any debt to which this Part applies, the Minister shall, subject to section 69, pay the employee out of the National Social Security Fund, the amount to which, in the opinion of the Minister, the employee is entitled in respect of the debt.’ The Act defines insolvency for purposes of the Act at section 67(b) as (b) if the employer is a company— ‘i. a winding-up order or an administration order has

been made, or a resolution for voluntary winding-up has been passed, with respect to the company; or ii. a receiver or a manager of the company's undertaking has been duly appointed, or possession has been taken, by or on behalf of the holders of any debentures secured by a floating charge, of any property of the company comprised in or subject to the charge. Section 68 defines the debts covered to include 68. Debts to which this part applies This part applies to the following debts— a. any arrears of wages in respect of one or more months, but not more than six months or part thereof; b. any amount which the employer is liable to pay the employee for the period of notice required by section 36 or for any failure of the employer to give the period of notice required by section 35 (1)(b), and (c); c. any pay in lieu of leave for annual leave days earned but not taken in accordance with section 28; any basic award of compensation for unfair dismissal; and d. any reasonable sum by way of reimbursement of the whole or part of any fee or premium paid by an apprentice.” Section 69 of the Act limits the amount payable under this section as follows –‘ 69. Limitation on amount payable under section 68 1. The total amount payable to an employee in respect of any debt to which this Part applies, where the amount of the debt to which this part applies, where the amount of the debt is referable to a period of time, shall not exceed— a. ten thousand shillings or one half of the monthly remuneration whichever is greater in respect of any one month payable; or b. in respect of a shorter period an amount proportionate to the shorter period based on the amount payable under paragraph (a). 2. The Minister may, on the advice of the Board, by order in the Gazette, vary the limit specified in subsection (1).”

13. Section 70 of the Employment Act provides for the role of the relevant officer and the Minister as follows: ‘70. Role of relevant officer 1. Where a relevant officer has been, or is required to be, appointed in connection with an employer's insolvency, the Minister shall not make a payment

under section 66 in respect of a debt until the Minister has received a statement from the relevant officer of the amount of that debt which appears to have been owed to the employee on the appropriate date and to remain unpaid. 2. A relevant officer shall, on the request of the Minister, provide the Minister with a statement for the purposes of subsection (1) as soon as is reasonably practicable. 3. If the Minister is satisfied that he does not require a statement under subsection (1) in order to determine the amount of a debt which was owed to the employee on the appropriate date and remains unpaid, he may make a payment in respect of the debt without having received the statement. 4. The following are relevant officers for the purposes of this section— a. a trustee in bankruptcy or a permanent or interim trustee within the meaning of the Bankruptcy Act (cap 53); b. a liquidator; c. an administrator; d. a receiver or manager; e. a trustee under a composition or arrangement between the employer and his creditors; f. trustee under a trust deed for his creditors executed by the employer.’’

14. Further, section 71 provides for the procedure for approaching the court as follows: ‘‘71. Complaint to Industrial Court 1. A person who has applied for a payment under section 66 may present a complaint to the Industrial Court— a. that the Minister has failed to make the payment; or b. that the payment made by the Minister is less than the amount which should have been paid. 2. The Industrial Court shall not consider a complaint under subsection (1) unless it is presented— a. before the end of the period of three months beginning with the date which the decision of the Minister on the application was communicated to the applicant; or b. within such further period as the Industrial Court considers reasonable in a case where it is not reasonably practicable for the complaint to be presented before the end of that period of three months. 3. Where the Industrial Court finds that the Minister should have made a payment under section 66, the Industrial Court

shall— a. make an award to that effect; and b. declare the amount of any payment which it finds the Minister ought to make.’’

15. In this case the Claimants have not tabled any evidence before the Court that they served the minister with any notice, or that he did not act on any notice served upon him by the Claimants. The doctrine of exhaustion therefore applies in that the Claimants DID NOT issue any notification to the Minister as by law required, yet their termination of employment was by way of the separation letters signed by the Administrator and which they produced in court as part of their evidence, and therefore they did not meet the requirements of section 71 and therefore the claim, as pleaded by the Respondent in its Memorandum, is bad in law and is incompetent and its should therefore be dismissed with costs. THAT NOTWITHSTANDING, the second schedule to the Insolvency Act provides for priority of preferential debts as follows; i. First priority are the expenses of the bankruptcy or liquidation. ii. Second priority claims include wages salaries to employees together with any holiday pay, compensation for redundancy, statutory deductions, payments ordered under the Employment Act . Page 6 of 7 iii. Third priority claims include tax deductions made by the bankrupt or company under the pay as you earn; non-resident withholding tax; resident withholding tax and duty payable. The Claimants have not, at any time of the proceedings of this suit or at the time of filling their submissions, shown to this Court that the Respondent has indeed finalized the first preferential debt in priority being the expenses of bankruptcy or liquidation. The Respondent on its part provided evidence that the High Court Commercial Court had indeed extended the Administration, the latest extension being contained in page 9 of its bundle of documents, and therefore the Company was and is still under Administration pursuant to the Court’s orders. The Company is therefore yet to discharge the first order of priority as set under the second schedule of the Insolvency Act, so as to be liable for the Claim herein, and for that reason, this claim must fail.

16. The claimants in written submissions filed in court did not submit on the Notice of Preliminary Objection.

Decision

17. The court found that it was not in dispute that the termination of employment of the claimants was vide redundancy declared by the administrator. Vide Gazette notice no. 931 of 7th February 2020, it was notified to the public that the respondent had been placed under administration, where one Ponangipalli Venkata Ramana Rao was appointed the administrator(Respondent's document no. 1). The letter of appointment of the administrator dated the appointment was on 13th January 2020 (Respondent's document no. 2). The order was extended by the High Court several times, with the last mention on 22nd May 2025. During cross-examination, the witness for the respondent did not produce the Order but relied on an email dated 17th February 2025, which stated that the Order was extended until the hearing of the application for extension of the administration(Respondent's document no. 3).

18. The relevant law on redundancy is section 40 of the Employment Act, to wit- '40. *Termination on account of redundancy*

(1)An employer shall not terminate a contract of service on account of redundancy unless the employer complies with the following conditions—

(a)where the employee is a member of a trade union, the employer notifies the union to which the employee is a member and the labour officer in charge of the area where the employee is employed of the reasons for, and the extent of, the intended redundancy not less than a month prior to the date of the intended date of termination on account of redundancy;

- (b) where an employee is not a member of a trade union, the employer notifies the employee personally in writing and the labour officer;*
- (c) the employer has, in the selection of employees to be declared redundant had due regard to seniority in time and to the skill, ability and reliability of each employee of the particular class of employees affected by the redundancy;*
- (d) where there is in existence a collective agreement between an employer and a trade union setting out terminal benefits payable upon redundancy; the employer has not placed the employee at a disadvantage for being or not being a member of the trade union;*
- (e) the employer has where leave is due to an employee who is declared redundant, paid off the leave in cash;*
- (f) the employer has paid an employee declared redundant not less than one month's notice or one month's wages in lieu of notice; and*
- (g) the employer has paid to an employee declared redundant severance pay at the rate of not less than fifteen days pay for each completed year of service.''*

19. The objector contended that the claimants' services were terminated by the administrator on account of insolvency hence section 40 (1) of the Employment Act cited above was not applicable to the claimants pursuant to the proviso under section 40(2) that- '*...(2) Subsection (1) shall not apply where an employee's services are terminated on account of insolvency as defined in Part VIII in which case that Part shall be applicable.*' How were the claimant's services terminated and by who?- The claimants in witness statement of their witness adopted as evidence in court stated their services were terminated on the 29th January 2020. The letters were produced before the court by the claimants at pages 295-431 of the claimants' bundle of documents. The letters were similar,

and the one for the 1st claimant, Samuel Mugo, was headed separation letter. It stated as follows-

'Dear Samuel,

SEPARATION LETTER

In view of the Administration and with the view to cut costs, your services are hereby terminated with effect from 1st February 2020.

You are required to complete the clearance procedure and return of company property in your custody before 31st January 2020.

For: GENERAL PLASTICS LIMITED (under administration)

(PVR RAO)

ADMINISTRATOR''(at page 295 of the claimants' bundle) The claimants' witness, Peter Mathew Mkwaria , (claimant no. 53) admitted all the claimants were issued with the similar letters, paid for days worked and issued with certificates of service. The court finds that in the instant case claimants were issued with separation letters by the administrator. The termination was on account of insolvency of the respondent hence the process under section 40(1) of the Employment Act was not applicable according to section 40(2) of the Employment Act to wit- 'Subsection (1) shall not apply where an employee's services are terminated on account of insolvency as defined in Part VIII in which case that Part shall be applicable.''. The law is that in the instant case, the remedies for the claimants lay under part VIII of the Employment Act on insolvency of employer to wit –'66. Insolvency of employer

Where on an application made to him in writing by an employee or his representative the Cabinet Secretary is satisfied that—(a)the employer of an employee has become insolvent; (b)the employment of the employee has been terminated; and(c)on the appropriate date the employee was entitled to be paid the whole or part of any debt to which this Part applies, the Cabinet Secretary shall, subject to section 69, pay the employee out of the National Social Security Fund, the amount to which, in the opinion of the Cabinet Secretary, the employee is entitled in respect of the debt.’’

20. Section 67 defines an insolvent employer as follows-‘67. Definition of insolvency

An employer is insolvent for the purposes of this Part—(a)if the employer is a person who— (i)has been adjudged bankrupt or has made a composition or arrangement with his creditors; or(ii)has died and his estate is to be administered in accordance with the Law of Succession Act;(b)if the employer is a company—(i)a winding up order or an administration order has been made, or a resolution for voluntary winding up has been passed, with respect to the company; or(ii)a receiver or a manager of the company's undertaking has been duly appointed, or possession has been taken, by or on behalf of the holders of any debentures secured by a floating charge, of any property of the company comprised in or subject to the charge.’’ The court finds the Respondent met the criteria and was insolvent at the time of the issuance of letters of separation to the claimants and thus the remedy for the claimants was under section 66 of the Employment Act outlined above.

21. section 68 of the Part VIII provides for debts that are applicable-‘68. Debts to which Part applies

This Part applies to the following debts—(a)any arrears of wages in respect of one or more months, but not more than six months or part thereof;(b)any amount which the employer is liable to pay the employee for the period of notice required by section 36 or for any failure of the employer to give the period of notice required by section 35(1) (ii) and (iii);(c)any pay in lieu of leave for annual leave days earned but not taken in accordance with section 28;(d)any

basic award of compensation for unfair dismissal; and(e)any reasonable sum by way of reimbursement of the whole or part of any fee or premium paid by an apprentice.’’

22. The court finds the claimants had an alternative sufficient remedy outside the court which they ought to have invoked. Section 40(1) of the Employment Act is held as not applicable to the claimants as they were not under redundancy of their regular employer but administrator. The administrator was thus not liable to comply with the procedure under section 40(1) of the Employment Act on notices and consultation thus, the issue of unfair termination could not arise.
23. The court, on application of section 40(2) of the Employment Act, finds the suit based on allegation of unfair termination vide redundancy to be improper as the respondent was under administration during the separation, thus section 40(1) was not applicable. Having so found I find it is superfluous to consider the claim on merit. The claim is thus defective and is dismissed.
24. On costs- the default principle of litigation is that costs follow the event and in this case the costs would be to the respondent. The court, taking into account the manner of separation of the parties, declines to award costs in the suit on account of tempering justice with mercy. It is ordered for each party to bear own costs in the objection and suit.
25. It so Ordered.

**DATED, SIGNED, AND DELIVERED IN OPEN COURT AT NAIROBI THIS 23RD
JANUARY, 2026.**

J.W. KELI,

JUDGE.

IN THE PRESENCE OF:

Court Assistant: Otieno

Claimant: Kipchumba h/b Elkington

Respondent: Mwaka h/b Muoka

ORIGINAL