



**Nyang'au v Menengai Oil Refineries Ltd (Miscellaneous Application E017 of 2026) [2026] KEELRC 777 (KLR) (18 March 2026) (Ruling)**

Neutral citation: [2026] KEELRC 777 (KLR)

**REPUBLIC OF KENYA  
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAKURU  
MISCELLANEOUS APPLICATION E017 OF 2026**

**AN MWAURE, J  
MARCH 18, 2026**

**BETWEEN**

**WILFRED NYABERI NYANG'AU ..... APPLICANT**

**AND**

**MENENGAI OIL REFINARIES LTD ..... RESPONDENT**

**RULING**

1. The Applicant filed an application dated 4<sup>th</sup> March 2026 and his prayers are as follows:
  1. That this application be certified as urgent and heard on priority basis(Spent).
  2. That this Honourable Court be pleased to adopt the work injury benefit award issued by the County Occupational Safety & Health Officer, Nakuru County given assessment of work injury benefit on 27<sup>th</sup> February 2025 under the Work Injury Benefits Act (WIBA), Act No. 13 of 2007 for the sum of Kshs.619,507.20/= in favour of the Applicant as the judgment of this Court, and this Honourable Court be further pleased to order the Respondent to pay to the Applicant the awarded work injury benefit sum of Kshs.619,507.20/=.
  3. That the Honourable Court be pleased to award the Applicant interest on the work injury benefit award of Kshs.619,507.20/= at court rates of 12% per annum from 27<sup>th</sup> February 2025 until payment in full and this Honourable Court be further pleased to order the Respondent to pay to the Applicant the interest on work injury benefit award of Kshs.619,507.20/= at court rates of 12% per annum from 27<sup>th</sup> February 2025 until payment in full.
2. The County Occupational Safety and Health Officer Nakuru assessed the total work injury benefit award at Kshs.619,507/20 as per his demand letter dated 27<sup>th</sup> February 2025.
2. The court records show the Respondent was served and affidavit of service was filed dated 13<sup>th</sup> February 2026.



3. The Respondent did not file a response and did not challenge the award.
4. It is fair and prudent therefore for the court to adopt the award of Kshs.619,507/20 assessed by the County Occupational Safety and Health Officer Nakuru as judgment of this court and it is so ordered.
5. Interest will accrue at 12% per annum from date of this Ruling until full payment.
6. The costs of the application are awarded to the Applicant.

It is so ordered.

**DATED, SIGNED AND DELIVERED VIRTUALLY AT NAKURU THIS 18<sup>TH</sup> DAY OF MARCH, 2026.**

**ANNA NGIBUINI MWAURE**

**JUDGE**

Order

In view of the declaration of measures restricting Court operations due to the COVID-19 pandemic and in light of the directions issued by His Lordship, the Chief Justice on 15<sup>th</sup> March 2020 and subsequent directions of 21<sup>st</sup> April 2020 that judgments and rulings shall be delivered through video conferencing or via email. They have waived compliance with Order 21 Rule 1 of the Civil Procedure Rules, which requires that all judgments and rulings be pronounced in open Court. In permitting this course, this Court has been guided by Article 159(2)(d) of *the Constitution* which requires the Court to eschew undue technicalities in delivering justice, the right of access to justice guaranteed to every person under Article 48 of *the Constitution* and the provisions of Section 1B of the Civil Procedure Act (Chapter 21 of the Laws of Kenya) which impose on this Court the duty of the Court, inter alia, to use suitable technology to enhance the overriding objective which is to facilitate just, expeditious, proportionate and affordable resolution of civil disputes.

A signed copy will be availed to each party upon payment of Court fees.

