



**Elemech Engineering Kenya Limited v Njirani (Appeal E041 of 2025)
[2026] KEELRC 854 (KLR) (23 March 2026) (Ruling)**

Neutral citation: [2026] KEELRC 854 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAKURU
APPEAL E041 OF 2025
AN MWAURE, J
MARCH 23, 2026**

**BETWEEN
ELEMech ENGINEERING KENYA LIMITED APPELLANT
AND
JOHN NJOROGE NJIRANI RESPONDENT**

RULING

1. The court has perused the judgment delivered on 13th Day of March 2026.
2. The court has noted an error on the judgment as it directed the case to be heard before any of Employment and Labour Relation Court (ELRC) judges but preferable in Court No 1. The case should be heard before the subordinate court.
3. So as provided in Section 75 of The Employment and Labour Relations Court (Procedure) Rules 2024 the court will correct the said error and instead direct that the hearing will proceed before a Judicial Officer of the Subordinate Court with the requisite jurisdiction.

It is so ordered.

**DATED, SIGNED AND DELIVERED VIRTUALLY AT NAKURU THIS 23RD 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 15th March 2020 and subsequent directions of 21st 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.

ANNA NGIBUINI MWAURE

JUDGE

