



**Kenya Alliance Insurance Company Limited v Universities Academic Staff Union (UASU) & 3 others (Civil Appeal (Application) E037 of 2021) [2025] KECA 1050 (KLR) (11 June 2025) (Ruling)**

Neutral citation: [2025] KECA 1050 (KLR)

**REPUBLIC OF KENYA**  
**IN THE COURT OF APPEAL AT NAIROBI**  
**CIVIL APPEAL (APPLICATION) E037 OF 2021**  
**W KARANJA, JA**  
**JUNE 11, 2025**

**BETWEEN**

**THE KENYA ALLIANCE INSURANCE COMPANY LIMITED ..... APPLICANT**

**AND**

**UNIVERSITIES ACADEMIC STAFF UNION (UASU) ..... 1<sup>ST</sup> RESPONDENT**

**JUBILEE INSURANCE COMPANY LIMITED ..... 2<sup>ND</sup> RESPONDENT**

**REGISTERED TRUSTEES OF MULTIMEDIA UNIVERSITY COLLEGE OF PENSIONS SCHEMES ..... 3<sup>RD</sup> RESPONDENT**

**RETIREMENTS BENEFITS AUTHORITY ..... 4<sup>TH</sup> RESPONDENT**

*(Being an appeal from the Ruling and Order of the High Court of Kenya at Nairobi (Sergon, J.) dated 27th November 2020 in HCCC No. E103 of 2020)*

**RULING**

1. The notice of motion before me is expressed to be premised on Rule 57(4) of the Court of Appeal Rules, section 3A, 3 and 3B of the [Appellate Jurisdiction Act](#) and Article 164(3)(a). There is no Rule 57(4) in the Court of Appeal Rules.
2. The applicant seeks extension of time to file a refence against the decision of Mumbi Ngugi (J.A.) sitting as a single Judge. In the same application, the applicant's prayers is for stay of proceedings.
3. I note that although Judge Mumbi's order awarded costs to the 1<sup>st</sup> respondent, the affidavit sworn in support of the application by Linda Njenga, the Legal Manager of the applicant talks of the 3<sup>rd</sup> respondent as the party that was awarded costs. Rather than dismiss the application on its merit, I strike



it out for being fatally defective, with no order as to costs, as the 1<sup>st</sup> respondent did not raise the said issues in the replying affidavit.

**DATED AND DELIVERED AT NAIROBI THIS 11<sup>TH</sup> DAY OF JUNE 2025.**

**W. KARANJA**

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**JUDGE OF APPEAL**

**I certify that this is a true copy of the original.**

**SIGNED**

**DEPUTY REGISTRAR**

