



Muthiani v Cyka Manpower Services Ltd (Miscellaneous Application E006 of 2025) [2025] KEELRC 117 (KLR) (27 January 2025) (Ruling)

Neutral citation: [2025] KEELRC 117 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
MISCELLANEOUS APPLICATION E006 OF 2025**

**S RADIDO, J
JANUARY 27, 2025**

BETWEEN

BONIFACE MUTIE MUTHIANI APPLICANT

AND

CYKA MANPOWER SERVICES LTD RESPONDENT

RULING

1. On or around 20 November 2024, the Director of Occupational Safety and Health assessed the compensation due to Boniface Mutie Muthiani (the applicant) in the sum of Kshs 239,457.
2. Under the [Work Injury Benefits Act](#), the assessed compensation should be paid within 90 days.
3. Cyka Manpower Services Ltd (the Respondent) failed to make payment and the applicant moved to Court seeking orders:
 - i. ...
 - ii. That the Honourable Court be pleased to adopt as a judgment of this Court the award of the Directorate of Occupational Safety and Health Officer made on 20th November 2024.
 - iii. That judgment be entered for the applicant against the Respondent for Kshs 239,457 being the amount assessed under the [Work Injury Benefits Act](#).
 - iv. That this Honourable Court be pleased to award interest on the amount from the date of assessment until payment in full.
 - v. That this Honourable Court be pleased to award any other relief this Court may deem fit and just to grant.
 - vi. That the costs of this application be awarded to the applicant.



4. When the Motion was placed before the Court on 14 January 2025, it directed the applicant to serve the Respondent ahead of hearing on 27 January 2025.
5. An affidavit of service sworn on 24 January 2025 and filed in Court shows that the Respondent acknowledged service.
6. Despite the service the Respondent did not file any response or attend the Court today.

Orders

7. Consequently, the Court will allow the Motion and grant orders:
 - i. That the Honourable Court hereby adopts as a judgment of this Court the award of the Directorate of Occupational Safety and Health Officer made on 20th November 2024.
 - ii. That judgment is hereby entered for the applicant against the Respondent for Kshs 239,457/- being the amount assessed under the [Work Injury Benefits Act](#).
 - iii. That this Honourable Court hereby awards interest on the amount from the date of assessment until payment in full.
8. The applicant to have costs.

DELIVERED VIRTUALLY, DATED AND SIGNED IN NAIROBI ON THIS 27TH DAY OF JANUARY 2025.

RADIDO STEPHEN, MCIArb

JUDGE

Appearances

For applicant Fred Mwihi & Co. Advocates

For Respondent did not participate

Court Assistant Wangu

