



**Njenga v Light for the World Kenya (Cause E459 of 2024)
[2025] KEELRC 6 (KLR) (16 January 2025) (Ruling)**

Neutral citation: [2025] KEELRC 6 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
CAUSE E459 OF 2024
S RADIDO, J
JANUARY 16, 2025**

BETWEEN

GODFREY MBURU NJENGA CLAIMANT

AND

LIGHT FOR THE WORLD KENYA RESPONDENT

RULING

1. Godfrey Mburu Njenga (the Claimant) sued Light for the World Kenya (the Respondent) alleging violation of his right to fair labour practices (Article 41 of *the Constitution*) and unfair termination of employment.
2. When served, the Respondent filed a Notice of Preliminary Objection on 9 July 2024, contending that:
 - i. Pursuant to Gazette Notice No 6024 of 22nd June 2018, Magistrates of the rank of Senior Resident Magistrate have jurisdiction to hear and determine employment and labour relations cases where inter alia, an employee's gross monthly pay does not exceed Kshs 80,000/-.
 - ii. The Claimant's gross monthly salary as stated in his Statement of Claim was Kshs 65,374/- . As such, the case filed herein falls within the jurisdiction of the Special Magistrates designated to hear and determine employment disputes within their respective areas of jurisdiction with reference to Gazette Notice No. 6024.
 - iii. The Magistrates Court at Nairobi has jurisdiction to hear and determine the claim in the first instance.
 - iv. The Claimant's gross monthly salary does not exceed Kshs 80,000/- and the claims in the Statement of Claim herein do not fall within the exceptions set out in Gazette Notice No. 6024.
 - v. As a matter of law, this Preliminary Objection ought to be heard and determined first before any other or further steps are taken in connection with the matter.



3. The parties appeared before the Deputy Registrar on 28 August 2024, and proposed that submissions be filed and exchanged in respect to the Preliminary Objection. The Claimant filed his submissions on 25 September 2024, and the Respondent filed its submissions on 1 October 2024.
4. The Court gave directions on 4 November 2024 in which it encouraged the parties to agree a settlement.
5. On 3 December 2024, the parties filed a consent in the following terms:
 - i. The full and final judgment be and is hereby entered for the Claimant against the Respondent in the sum of Kshs 908,985.67 less statutory deductions in terms of the attached schedule marked "Annexure A."
 - ii. The Respondent shall as and when required, sign the necessary forms and provide all necessary records and information as may be required on its part for purposes of processing the Claimant's pension Fund contributions.
 - iii. Each party shall bear its own costs.
 - iv. This suit be and is hereby marked settled.

Orders

6. The Court adopts the consent as judgment of the Court, and the Cause is marked as settled.

DELIVERED VIRTUALLY, DATED AND SIGNED IN NAIROBI ON THIS 16TH DAY OF JANUARY 2025.

RADIDO STEPHEN, MCIARB

JUDGE

Appearances

For Claimant G.N. Nyakundi Advocates

For Respondent Kaplan & Stratton Advocates

Court Assistant Wangu

