



**Ogol & another v Badar Hardware Ltd & another (Cause
E116 of 2023) [2025] KEELRC 1894 (KLR) (12 May 2025) (Ruling)**

Neutral citation: [2025] KEELRC 1894 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT MOMBASA
CAUSE E116 OF 2023**

K OCHARO, J

MAY 12, 2025

BETWEEN

SUSAN ADHIAMBO OGOL 1ST CLAIMANT

MAUREEN KWAMBOKA ODHIAMBO 2ND CLAIMANT

AND

BADAR HARDWARE LTD 1ST RESPONDENT

TAKAFUL INSURANCE OF AFRICA 2ND RESPONDENT

RULING

1. There is no reason why the 2nd respondent did not file the application immediately the preliminary objection was declined when directions for the hearing of this matter were given on 13/2/2025, counsel for the respondent was in court. He did not ask for any kind of stay of proceedings pending filing of application like the instant one.
2. As to whether there was misjoinder or not is a matter that this court can handle in the judgment. Pursuant to the overriding objective of this court, I struck out the application. It is an abuse of the court process.

DATED, SIGNED AND DELIVERED THIS 12TH DAY OF MAY 2025.

OCHARO KEBIRA

JUDGE

