



Amalgamated Union v Shankar Electronic Limited (Employment and Labour Relations Cause E064 of 2025) [2025] KEELRC 2420 (KLR) (24 June 2025) (Ruling)

Neutral citation: [2025] KEELRC 2420 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT MOMBASA
EMPLOYMENT AND LABOUR RELATIONS CAUSE E064 OF 2025**

**K OCHARO, J
JUNE 24, 2025**

BETWEEN

AMALGAMATED UNION APPLICANT

AND

SHANKAR ELECTRONIC LIMITED RESPONDENT

RULING

- 1 The Respondent filed a notice of preliminary objection dated 12th June 2025, contending:
 - a. That this Court lacks jurisdiction to determine this matter on account that this suit has been prematurely instituted.
 - b. The proceedings herein lack legal procedural propriety.
2. It is well-established law that a preliminary objection must be strictly based on a pure point of law, rather than a combination of law and facts. The objection cannot be deemed proper when facts require interrogation to resolve the issues raised.
3. I have carefully considered the preliminary objection raised by the Respondent. The matter raised can only be determined by examining facts, thus requiring the receipt of evidence either orally or by affidavit. The objection is therefore improperly taken. It is hereby dismissed.
4. Orders accordingly.

READ, SIGNED AND DELIVERED VIRTUALLY IN MOMBASA THIS 24TH JUNE, 2025.

SIGNED BY: HON. MR. JUSTICE OCHARO KEBIRA

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EMPLOYMENT AND LABOUR RELATIONS COURT

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