



**Kirui v Access Bank [Kenya] Limited (Cause E893 of 2023)
[2024] KEELRC 89 (KLR) (31 January 2024) (Ruling)**

Neutral citation: [2024] KEELRC 89 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
CAUSE E893 OF 2023
J RIKA, J
JANUARY 31, 2024**

BETWEEN

RAYMOND KIPTOO KIRUI CLAIMANT

AND

ACCESS BANK [KENYA] LIMITED RESPONDENT

RULING

1. The Claimant applies for conservatory orders, through his Application filed under Certificate of Urgency, dated 30th January 2024.
2. The orders sought are directed against the Respondent, the Directorate of Criminal Investigations-Banking Fraud, the Inspector- General of Police and the Director of Public Prosecutions.
3. The Claimant prays the Court, to have the said agencies restrained from summoning, arraigning and / or prosecuting him, or in any way interfering with his liberty.
4. It is not in the mandate of this Court to issue the orders sought. The Claimant ought to file a Petition, against the said state agencies, in the right jurisdiction. The orders sought are beyond the employment and labour relations jurisdiction.

It Is Ordered: -

5.
 - a. The orders sought by the Claimant, through his application dated 30th January 2024, are not within the jurisdiction of the Employment & Labour Relations Court.
6.
 - b. The Application is declined for want of jurisdiction.



**DATED, SIGNED AND RELEASED TO THE PARTIES ELECTRONICALLY AT NAIROBI, THIS
31ST DAY OF JANUARY 2024.**

James Rika

Judge

