



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
Where Legal Information is Public Knowledge

Mwonzu v Kenyatta National Hospital (Employment and Labour Relations Cause E380 of 2020) [2024] KEELRC 1693 (KLR) (24 May 2024) (Ruling)

Neutral citation: [2024] KEELRC 1693 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
EMPLOYMENT AND LABOUR RELATIONS CAUSE E380 OF 2020**

AN MWAURE, J

MAY 24, 2024

BETWEEN

KENNEDY MUTEMBEI MWONZU PETITIONER

AND

KENYATTA NATIONAL HOSPITAL RESPONDENT

RULING

1. The below award to the claimant is made pursuant to the judgment delivered herein and dated 26th April 2024.
2. The prayers in the memorandum of claim are awarded as follows
 - i. Prayer C claimant is awarded $\frac{1}{2}$ salary for the period between 4th September 2016 to 14th November 2018 @ 25 months x 23,050=576,560/-
 - ii. Prayer (d) is not justified and is not awarded.
 - iii. The claimant is awarded 12 months equivalent of salary compensation for unlawful termination being kshs 46,101x12= 553, 212,-/ this is considering the long period he worked for the respondent.
 - iv. Total awarded is therefore kshs 1,129,772/- plus he is awarded costs and interest at court rates from date of judgment till full payment.

Orders accordingly.

DATED, SIGNED AND DELIVERED VIRTUALLY IN NAIROBI THIS 24TH DAY OF MAY, 2024.

ANNA NGIBUINI MWAURE

JUDGE



ORDER

In view of the declaration of measures restricting Court operations due to the COVID-19 pandemic and in light of the directions issued by His Lordship, the Chief Justice on 15th March 2020 and subsequent directions of 21st April 2020 that judgments and rulings shall be delivered through video conferencing or via email. They have waived compliance with Order 21 Rule 1 of the [Civil Procedure Rules](#), which requires that all judgments and rulings be pronounced in open Court. In permitting this course, this Court has been guided by Article 159(2)(d) of the [Constitution](#) which requires the Court to eschew undue technicalities in delivering justice, the right of access to justice guaranteed to every person under Article 48 of the [Constitution](#) and the provisions of Section 1B of the [Procedure Act](#) (Chapter 21 of the Laws of Kenya) which impose on this Court the duty of the Court, *inter alia*, to use suitable technology to enhance the overriding objective which is to facilitate just, expeditious, proportionate and affordable resolution of civil disputes.

A signed copy will be availed to each party upon payment of Court fees.

ANNA NGIBUINI MWAURE

JUDGE

