



Kenya Engineering Workers Limited v Imara Steel Mills Limited (Employment and Labour Relations Cause E2063 of 2017) [2024] KEELRC 2424 (KLR) (30 September 2024) (Ruling)

Neutral citation: [2024] KEELRC 2424 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
EMPLOYMENT AND LABOUR RELATIONS CAUSE E2063 OF 2017
AN MWAURE, J
SEPTEMBER 30, 2024**

BETWEEN
KENYA ENGINEERING WORKERS LIMITED PETITIONER
AND
IMARA STEEL MILLS LIMITED RESPONDENT

RULING

1. The court had made a ruling dated 16th February 2024 and had pronounced itself that it will not entertain this matter anymore.
2. The court is still of the same view and since it appears the claimant had abandoned its case the court would then issue a NTSC for the parties to appear before the court on 14/10/2024 to show cause why this claim dated 16th October 2017 should not be dismissed since the claimant has failed to provide crucial evidence of the list of its members who they seek to have their union dues remitted.

Orders accordingly.

DATED, SIGNED AND DELIVERED VIRTUALLY IN NAIROBI THIS 30TH DAY OF SEPTEMBER, 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

