



**Mutegi v Chief Executive Officer Kenya Leather Development Council & another
(Petition E125 of 2021) [2023] KEELRC 557 (KLR) (28 February 2023) (Ruling)**

Neutral citation: [2023] KEELRC 557 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
PETITION E125 OF 2021
J RIKA, J
FEBRUARY 28, 2023**

BETWEEN

PAUL EPHANTUS MUTEGI PETITIONER

AND

**CHIEF EXECUTIVE OFFICER KENYA LEATHER DEVELOPMENT
COUNCIL 1ST RESPONDENT**

KENYA LEATHER DEVELOPMENT COUNCIL 2ND RESPONDENT

RULING

1. The documents contained in this file are: -
 - a. An order given on August 5, 2021, by Hon Judge Mbaru.
 - b. Certificate of urgency dated July 30, 2021.
 - c. Notice of motion dated July 30, 2021.
 - d. Supporting affidavit of the petitioner sworn on July 30, 2021.
 - e. Annexures to the affidavit above, marked Pem 1 to Pem 4.
 - f. Petition dated July 30, 2021.
 - g. Supporting affidavit sworn by the petitioner on July 30, 2021, and a receipt issued by the judiciary upon filing of the petition, in the amount of Kshs 7,780.
2. The rest are handwritten proceedings of the court. In the proceedings, parties mentioned notice of appointment of advocates; supplementary affidavit by the petitioner; written submissions; amended petition; response to the amended petition; and application for leave to amend petition, dated September 19, 2022.



3. The court was to make a ruling on notice, but upon perusal of the physical file, has been unable to find the pleadings referred to by the parties, in the proceedings of the court. The matter is therefore not ready for the ruling, in the absence from the file, of the pleadings. The file as forwarded from the Registry to the undersigned, is incomplete, and the court is not able to make a ruling on amendment of the petition.

It Is Ordered :-

- a. The file is returned to the Registry for the parties' attention.
- b. Once the record is complete, the parties shall move the court for a fresh ruling date.
- c. The file shall be mentioned before the Deputy Registrar for confirmation that the record is complete.

DATED, SIGNED AND RELEASED TO THE PARTIES ELECTRONICALLY, AT NAIROBI, UNDER THE MINISTRY OF HEALTH AND JUDICIARY COVID-19 GUIDELINES, THIS 28TH DAY OF FEBRUARY 2023.

JAMES RIKA

JUDGE

