



**Momul Tea Factory Company Limited v Orero (Miscellaneous Application E010 of 2023) [2023] KEELRC 3163 (KLR) (30 November 2023) (Ruling)**

Neutral citation: [2023] KEELRC 3163 (KLR)

**REPUBLIC OF KENYA  
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT KERICHO  
MISCELLANEOUS APPLICATION E010 OF 2023  
DN NDERITU, J  
NOVEMBER 30, 2023**

**BETWEEN**  
**MOMUL TEA FACTORY COMPANY LIMITED ..... APPLICANT**  
**AND**  
**JANET CHEBET ORERO ..... RESPONDENT**

**RULING**

1. Upon reading the notice of motion dated 6<sup>th</sup> October, 2023, expressed to be brought under the provisions of Section 75G of the *Civil Procedure Act*, Orders 50 Rule 6 of the *Civil Procedure Rules*, and Rule 8 of the *Employment and Labour Relations Court (Procedure) Rules*, the supporting affidavit of Peter M. Karanja Advocate sworn on 11<sup>th</sup> October, 2023, alongside the annexures thereto and upon hearing Mr. Karanja for the applicant and Miss Kusa for the respondent on 30<sup>th</sup> October 2023, It Is Hereby Ordered And Directed As Follows–
  1. That the said application is unopposed and for the grounds and reasons alluded to in the application the applicant be and is hereby granted leave to file an appeal out of time.
  2. That the applicant shall file and serve upon the respondent all the requisite documents and the record of appeal within 14 days of this ruling.
  3. That in the very nature and circumstances of the intended appeal, as alluded to in the application, the intended (filed) appeal shall be canvassed by way of written submissions and the applicant's (appellant's) counsel shall file and serve his written submissions alongside (2) above.
  4. That counsel for the respondent shall file and serve her written submissions within 7 days of service as in (2) and (3) above.



5. That the filed appeal shall be mentioned before this court on 5<sup>th</sup> February, 2024 to confirm compliance and for taking a date for judgment.

**DATED, DELIVERED VIRTUALLY, AND SIGNED AT NAKURU THIS 30<sup>TH</sup> DAY OF NOVEMBER, 2023.**

**DAVID NDERITU**

**JUDGE**

