



Okoth v Rafiki Micro-Finance Bank Kenya Ltd (Employment and Labour Relations Cause 200 of 2018) [2023] KEELRC 3010 (KLR) (27 November 2023) (Ruling)

Neutral citation: [2023] KEELRC 3010 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
EMPLOYMENT AND LABOUR RELATIONS CAUSE 200 OF 2018**

**K OCHARO, J
NOVEMBER 27, 2023**

BETWEEN

ABIERO PETER OKOTH CLAIMANT

AND

RAFIKI MICRO-FINANCE BANK KENYA LTD RESPONDENT

RULING

1. The court notes that at paragraph 134 of the judgment it found that the Claimant is entitled to unpaid house allowance to an extent of 36 months. However, by error, which I find clerical, in the reliefs section the court awarded house allowance for 11 (eleven) months, ksh 146,666.57. This error must be corrected and it is hereby corrected. Therefore, under paragraph 146(d) the Claimant is awarded house allowance for 36 months therefore ksh 216,000 (15/100x40,000x36).
2. Orders accordingly.

DATED, SIGNED AND DELIVERED VIRTUALLY IN NAIROBI THIS 27TH DAY OF NOVEMBER, 2023.

OCHARO KEBIRA

JUDGE

In the presence of:

Mr. Abiero for Claimant

Ms Wamuyu for Respondent

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.

OCHARO KEBIRA

JUDGE

