

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR

RELATIONS COURT

AT NAIROBI

MISCELLANEOUS APPLICATION NO. E002 OF 2021

BETWEEN

DANIEL MUTHOKA MITHIANIAPPLICANT

VERSUS

INSIGHT MANAGEMENT CONSULTANTS LIMITED..... RESPONDENT

RULING

1. The Applicant prays the Court to adopt as its Judgment, an award made by the Senior Occupational Health and Safety Officer, dated 29th July 2020.
2. The Application is founded on the Affidavit of the Applicant, sworn on 19th November 2021.
3. The Applicant invokes Sections 16, 17 and 51 of the Work Injury Benefit Act 2007.
4. The Sections of the Law invoked by the Applicant do not confer jurisdiction on this Court, to adopt awards of the Director of Work Injury, as Judgments of the Court.
5. The Work Injury Benefit Act, confers an appellate jurisdiction on the Court. Adoption of awards of the Director of Work Injury as Judgments of the Court, is not within the appellate jurisdiction.

IT IS ORDERED: -

a. The Application is declined.

b. No order on the costs.

Dated, signed and released to the Parties electronically, under the Ministry of Health and Judiciary Covid-19 Guidelines, at Chaka, this 28th day of April 2022.

JAMES RIKA

JUDGE