



Wambu v Roofspec & Allied Works Company Ltd & another (Miscellaneous Application E049 of 2022) [2022] KEELRC 1141 (KLR) (26 April 2022) (Ruling)

Neutral citation: [2022] KEELRC 1141 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
MISCELLANEOUS APPLICATION E049 OF 2022**

NZIOKI WA MAKAU, J

APRIL 26, 2022

BETWEEN

PATRICK MUTISO WAMBU APPLICANT

AND

ROOFSPEC & ALLIED WORKS COMPANY LTD 1ST RESPONDENT

MONARCH INSURANCE COMPANY LIMITED 2ND RESPONDENT

RULING

1. The Court grants the prayers and specifically directing that the Respondents jointly and severally meet the assessment by the Director OSHA (Occupational Safety and Health Services) to the tune of Kshs.2,361,600/- to the injuries assessed by the Director.
2. In addition, as the 1st Respondent has committed an offence contrary to Section 26(6) of the Work Injury Benefit Act is to pay Kshs.500,000/- to the Court as a fine within 14 days of today failing which the Applicant may seek the committal of the Directors of the 1st Respondent to jail in terms of Section 26(6) of the Work Injury Benefit Act.
3. The Respondents having precipitated the action in Court by refusal to comply with the directions of the Director OSHA (Occupational Safety and Health Services) they shall meet the costs of the suit as well as the application before me. Payments to be within 14 days.

It is so ordered.

DATED AND DELIVERED AT NAIROBI THIS 26TH DAY OF APRIL 2022

Nzioki wa Makau

JUDGE

