



**Osiro v Kenya Power and Lighting Co. Ltd (Cause 1938 of 2017)
[2022] KEELRC 12871 (KLR) (25 May 2022) (Ruling)**

Neutral citation: [2022] KEELRC 12871 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
CAUSE 1938 OF 2017**

L NDOLO, J

MAY 25, 2022

BETWEEN

TOM FRANX MZALIWA OSIRO CLAIMANT

AND

KENYA POWER & LIGHTING CO. LTD. RESPONDENT

RULING

1. I have heard submissions by Counsel. From the submissions it emerges that the only point of departure has to do with the quantum of security to be deposited pending appeal. The Respondent/Applicant states that it is willing to deposit 50% of the decretal sum while the Claimant/Respondent asks the court to order that the entire decretal sum be deposited in court.
2. The reasons given by the Respondent/Applicant for its position is that the decretal sum is colossal and that the Respondent is a parastatal. With tremendous respect, these reasons cannot form the basis for the orders sought by the Respondent/Applicant. The decretal sum arises from a valid judgment of the Court delivered by Makau Judge on 19.11.2021.
3. In the circumstances the Respondent/Applicant is directed to deposit the entire decretal sum in an interest earning account in the joint names of the parties' Advocates within the next 45 days from the date hereof. Failure to comply with this condition will lead to an automatic lapse of the stay hereby granted and the Claimant/Respondent will be at liberty to execute without any further orders.

DATED AT NAIROBI THIS 25TH DAY OF MAY 2022

LINNET NDOLO

JUDGE

Appearance:

Mr. Ochieng for the Respondent/Applicant



Mr. Arusei for Claimant/Respondent

