



**Oduor v Yatin Supermarket Limited (Cause 449 of 2017)  
[2022] KEELRC 1136 (KLR) (29 June 2022) (Ruling)**

Neutral citation: [2022] KEELRC 1136 (KLR)

**REPUBLIC OF KENYA  
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT KISUMU  
CAUSE 449 OF 2017  
S RADIDO, J  
JUNE 29, 2022**

**BETWEEN**

**ROBERT WERE ODUOR ..... CLAIMANT**

**AND**

**YATIN SUPERMARKET LIMITED ..... RESPONDENT**

**RULING**

1. On 4 February 2021, the Court directed the parties herein to attempt an out-of-court settlement of the dispute under the guidance of the County Labour Officer.
2. When the parties appeared in Court on 17 February 2022, they informed the Court that an agreement had been reached and payment made to the Claimant(s) but that they had not agreed on costs.
3. The Court proposed to the parties to agree on the question of costs. No agreement was reached, and on 25 April 2022, the Court directed the parties to file and exchange submissions on the question within agreed timelines.
4. The Claimant(s) was directed to file and serve submissions on or before 13 May 2022 (the submissions were filed on 7 June 2022) and the Respondent before 31 May 2022 (filed on 13 June 2022).
5. The Court has considered the record and submissions.
6. Considering that the Causes were settled at conciliation and monies paid out to the Claimant(s) and that the parties did not comply with the directions on filing submissions within the agreed timelines, the Court orders that each party bears own costs.
7. This Order to apply to:
  - i. Cause No. 450 of 2017, Felgona Atieno Maroko v Yatin Supermarket Ltd.
  - ii. Cause No. 452 of 2017, Josephat Geoffrey Onyango v Yatin Supermarket Ltd.



- iii. Cause no. 453 of 2017, Gordon Otieno Ngare v Yatin Supermarket Ltd.
- iv. Cause No. 454 of 2017, Derrick Ouma Kola v Yatin Supermarket Ltd.
- v. Cause no. 455 of 2017, Sylvester Okoth Osimbo v Yatin Supermarket Ltd.
- vi. Cause No. 456 of 2017, Evans Otieno v Yatin Supermarket Ltd.
- vii. Cause No. 462 of 2017, Susan Atieno Asola v Yatin Supermarket Ltd.
- viii. Cause No. 89 of 2018, Faith Achieng Odhiambo v Yatin Supermarket Ltd.

8. The files are marked as closed.

**DELIVERED THROUGH MICROSOFT TEAMS, DATED AND SIGNED IN KISUMU ON THIS 29TH DAY OF JUNE 2022.**

**RADIDO STEPHEN, MCIARB**

**JUDGE**

**Appearances**

For Claimant(s) M.I. Wafula & Co. Advocates

For Respondent Onsongo & Co. Advocates

Court Assistant Chrispo Aura

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