



REPUBLIC OF KENYA



**KENYA LAW**

THE NATIONAL COUNCIL FOR LAW REPORTING

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**Kaniu (Suing as Legal Representative of the Estate of Nehemiah  
Mwangi Kamau) v Multiple Hauliers [EA] Limited (Miscellaneous Cause  
E083 of 2022) [2022] KEELRC 3856 (KLR) (29 July 2022) (Ruling)**

Neutral citation: [2022] KEELRC 3856 (KLR)

**REPUBLIC OF KENYA  
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI  
MISCELLANEOUS CAUSE E083 OF 2022**

**J RIKA, J  
JULY 29, 2022**

**BETWEEN**

**MARGARET WANJIKU KANIU ..... APPLICANT  
SUING AS LEGAL REPRESENTATIVE OF THE ESTATE OF NEHEMIAH  
MWANGI KAMAU**

**AND**

**MULTIPLE HAULIERS [EA] LIMITED ..... RESPONDENT**

**RULING**

1. Invoking section 12 of the *Employment and Labour Relations Court Act*, and order 51 of the *Civil Procedure Court Rules*, 2010, the applicant asks the court to adopt as its own judgment, an assessment made in her favour, by the director of occupational safety and health.
2. The application is founded on the affidavit of the applicant sworn on May 23, 2022.

**The court finds:-**

3. The jurisdiction of this court under the *Work Injury Benefits Act*, Cap 236 the Laws of Kenya, is very limited. It does not include enforcement of awards made by the director of occupational safety and health.
4. The jurisdiction of this court is confined to section 52[ 2] of the act, which is an appellate jurisdiction.

**It is ordered:-**

- a. The application is declined for want of jurisdiction.
- b. No order on the costs.



**DATED, SIGNED AND RELEASED TO THE PARTIES ELECTRONICALLY, AT CHAKA,  
UNDER THE MINISTRY OF HEALTH AND JUDICIARY COVID-19 GUIDELINES, THIS 29<sup>TH</sup>  
DAY OF JULY 2022.**

**James Rika**

**Judge**

