



**Mattakwa v Kenya Revenue Authority (Cause 1395 of 2018)  
[2022] KEELRC 4081 (KLR) (29 September 2022) (Ruling)**

Neutral citation: [2022] KEELRC 4081 (KLR)

**REPUBLIC OF KENYA  
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI  
CAUSE 1395 OF 2018  
J RIKA, J  
SEPTEMBER 29, 2022**

**BETWEEN**

**EMMY AMWAYI MATTAKWA ..... CLAIMANT**

**AND**

**KENYA REVENUE AUTHORITY ..... RESPONDENT**

**RULING**

1. The claimant filed an application dated May 19, 2022, asking the court to find the respondent in contempt of the court, for failing to abide by the Judgment of this court, delivered on March 31, 2022.
2. The parties agreed to have the application considered and determined on the basis of their affidavits and Submissions on record.
3. They confirmed filing and exchange of their submissions at the last appearance before this court, on July 1, 2022.
4. In the course of preparing the ruling, scheduled to be delivered on notice, the court has come across a letter dated June 20, 2022, addressed to the deputy registrar by the respondent's advocates, stating that there is an order of stay of execution in the matter, issued on June 15, 2022 by the Court of Appeal.
5. The court has not seen the order itself, and it is not clear why the advocates for the respective parties, Mr Odhiambo and Ms Naeku, did not communicate the presence of the order to this court, when they asked the court to give a ruling date on July 1, 2022.
6. In the circumstances, the court shall defer its ruling until there is clear communication from the parties, on the status of the Court of Appeal proceedings if any.

It Is ordered: -



- a. Ruling on the application dated May 19, 2022 is deferred pending clarification from the parties, on the presence of an order of stay of execution, alleged to have been issued by the Court of Appeal.
- b. The parties shall move this court, upon such clarification.

**DATED, SIGNED AND RELEASED TO THE PARTIES ELECTRONICALLY, AT NAIROBI,  
UNDER THE MINISTRY OF HEALTH AND JUDICIARY COVID-19 GUIDELINES, THIS 29TH  
DAY OF SEPTEMBER 2022.**

**JAMES RIKA**

**JUDGE**

