



**Kenya Universities Staff Union v Maseno University (Cause E027 of 2022) [2022] KEELRC 13046 (KLR) (2 November 2022) (Order)**

Neutral citation: [2022] KEELRC 13046 (KLR)

**REPUBLIC OF KENYA  
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT KISUMU  
CAUSE E027 OF 2022  
S RADIDO, J  
NOVEMBER 2, 2022**

**BETWEEN**  
**KENYA UNIVERSITIES STAFF UNION ..... CLAIMANT**  
**AND**  
**MASENO UNIVERSITY ..... RESPONDENT**

**ORDER**

1. This Cause was scheduled for judgment today.
2. However, the Kenya Universities Staff Union filed a Notice to withdraw the Cause after the conclusion of the hearing/filing of submissions.
3. When the Cause was called out, the Advocate for Maseno University implored the Court to award it costs considering the efforts put into defending the Cause.
4. Considering the social partnership between the parties and the need for utmost good faith in industrial relations and the fact that the recognition agreement between the parties provided for dispute resolution avenues the Union did not attempt to utilise before moving the Court, and the stage the Cause had reached before the filing of the Notice of withdrawal, the Court will allow the withdrawal of the Cause and award the Respondent costs on a half-scale.

**ISSUED VIRTUALLY FROM MOMBASA ON THIS 2<sup>ND</sup> DAY OF NOVEMBER 2022.**

**RADIDO STEPHEN, MCIARB**

**JUDGE**

