



Ogollah & another v Governor, County Government of Homa Bay & 3 others; Hon Gladys Wanga – The Governor County Government of Homa Bay & 3 others (Contemnor) (Petition E047 of 2022) [2022] KEELRC 14676 (KLR) (7 December 2022) (Directions)

Neutral citation: [2022] KEELRC 14676 (KLR)

REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT KISUMU
PETITION E047 OF 2022
S RADIDO, J
DECEMBER 7, 2022

BETWEEN

WALTER OGOLLAH 1ST PETITIONER

PATRICK ODEMBA OKUKU 2ND PETITIONER

AND

GOVERNOR, COUNTY GOVERNMENT OF HOMA BAY 1ST RESPONDENT

HOMA BAY COUNTY PUBLIC SERVICE BOARD 2ND RESPONDENT

HOMA BAY COUNTY ASSEMBLY 3RD RESPONDENT

RUTH ALOO 4TH RESPONDENT

AND

HON GLADYS WANGA – THE GOVERNOR COUNTY GOVERNMENT OF HOMA BAY CONTEMNOR

JULIUS GAYA- SPEAKER HOMA BAY COUNTY ASSEMBLY CONTEMNOR

FAITH APUKO – CLERK HOMA BAY COUNTY ASSEMBLY CONTEMNOR

LAWRENCE OTENG – ACTING CHAIR HOMA BAY COUNTY PUBLIC SERVICE BOARD CONTEMNOR

DIRECTIONS

1. On 29 November 2022, the court issued an order restraining the respondents from further conducting any interviews, vetting, approving, or appointing any persons to the positions of Chief Officers, Directors, and Deputy Directors, pending delivery of judgment.



2. The petitioners have today filed a motion alleging that the respondents have blatantly disrespected the said orders and consequently asks the court to find and hold them in contempt.
3. Contempt strikes at the very heart of the administration of justice and the dignity of the court, and where contempt is alleged, the court should move with dispatch to uphold its dignity.
4. The court directs:
 - (i) The motion dated 5 December 2022 be served upon the respondents/alleged contemnors forthwith.
 - (ii) The respondents/alleged contemnors to file and serve responses before 0930 am on 8 December 2022.
 - (iii) The respondents, either in person or through counsel to attend the Court on 8 December 2022 at 10.00 am for further directions.
5. Costs in the cause.

Issued in Kisumu on this 7th day of December 2022.

Radido Stephen, MCI Arb

Judge

