



REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT KISUMU

CAUSE NO. 296 OF 2015

HENRY ANGUGO OLANG.....CLAIMANT

v

CHAIRMAN, BOARD OF MANAGEMENT

OGADA SECONDARY SCHOOL.....RESPONDENT

JUDGMENT

1. Henry Angugo Olang (the Claimant) was employed by the Board of Management, Ogada Secondary School (the Respondent) as an Artisan in 1993.
2. The Claimant retired in August 2014 and on 5 August 2015 he instituted these proceedings alleging breach of contract (unpaid salaries, balance of salaries, unremitted National Social Security Fund deductions, unremitted National Hospital Insurance Fund deductions, unremitted Benevolent Fund deductions and retirement benefits) all amounting to Kshs 262,300/-.
3. Despite accepting and acknowledging service of Notice of Summons 8 September 2015, the Respondent did not enter Appearance or file a Response.
4. On 19 September 2018, a person attended Court on behalf of the Respondent and indicated that the parties were negotiating. The Court allowed them time to settle but there was no mutual settlement.
5. On 5 December 2018, the Court directed that the Cause proceed to formal proof.
6. The Claimant testified on 29 May 2019 and thereafter he filed submissions on 10 February 2020.
7. The Claimant sought a liquidated sum of Kshs 262,300/-. His testimony remained unchallenged.
8. The Court has no hesitation in entering judgment as prayed.

Conclusion and Orders

9. In consideration of the unchallenged evidence on record, the Court enters judgment for the Claimant in the sum of Kshs 262,300/- together with costs on half-scale.
10. The decretal sum to attract interest at court rates from date of judgment until payment in full.

Delivered through Microsoft teams, dated and signed in Kisumu on this 3rd day of March 2021.

Radido Stephen, MCI Arb

Judge

Appearances

For Claimant Odhiambo Ouma & Co. Advocates

Respondent did not participate

Court Assistant Chrispo Aura