

REPUBLIC OF KENYA

IN THE EMPLOYMENT & LABOUR RELATIONS

COURT OF KENYA AT NAIROBI

CAUSE NO. 1269 OF 2017

FRANCIS MUNGAL.....CLAIMANT

VERSUS

KENYA YEAR BOOK EDITORIAL BOARD.....RESPONDENT

RULING

1. As the Respondent seeks to overturn a decision of the Court made during the last appearance and granted, the Claimant's case is the only case that can be heard, in order to save judicial time being squandered through a series of applications and further mentions, I will grant the Respondent leave limited to purely filing the second witness statement and thereafter the Respondent if minded may formally present the Claimant with the evidence it hopes to rely on before filing it as contemplated in the Employment & Labour Relations Court (Procedure) Rules 2016 Rule 14(10).

2. The Respondent to ensure the copies are sufficient and served 14 days prior to the hearing date to permit the Claimant make any oral motion, to their rejection at the hearing. The hearing is thus deferred to 26th July 2021. The Respondent shall pay Claimant's costs of today assessed at Kshs. 4,500/- plus Court adjournment fees of Kshs. 1,000/- before the expiry of 7 days. .

So ordered

Dated and delivered at Nairobi this 8th day of June 2021

NZIOKI WA MAKAU

JUDGE