REPUBLIC OF KENYA

IN THE EMPLOYMENT & LABOUR RELATIONS COURT OF KENYA

AT NAIROBI

CAUSE NO. 350 OF 2015

SUSAN MUMBUA.....1ST CLAIMANT

LORNA TSISIGA.....2ND CLAIMANT

TIVENDER KAUR JUTTLA.....3RD CLAIMANT

JOHANNES OLUOCH.....4TH CLAIMANT

JOAN WANGUI KARIUKI.....5TH CLAIMANT

HARRISON NDWIGA MURIITHI.....6TH CLAIMANT

DANIEL MUEMA MUTANGILI.....7TH CLAIMANT

VERSUS

NAVITAS LIMITED.....1ST RESPONDENT

AUSTRALIAN UNIVERSITY STUDIES INSTITUTE (AUSI).....2ND RESPONDENT

AUSEDKEN LIMITED.....3RD RESPONDENT

RULING

1. *Interest Reipublicae Ut Sit Finis Litium* – Latin for **in the interest of society as a whole, litigation must come to an end**. It was said by Evelle Younger, Attorney General, California, 1971 that "*An incompetent attorney can delay a trial for years or months. A competent attorney can delay one even longer*." This case has been litigated from 10th March 2015. This year alone there have been three Rulings including this one. The issue precipitating the current Ruling is the alleged non-payment of dues as ordered by the Court. The Court is *functus officio* and has determined the sums to be paid and it is upon the parties to take account and not involve the Court in their endless quest for an extra cent. If the Claimants have lost a bargain on the payments due then so be it. It seems Claimants have been paid in full. There is nothing for the Court to determine and I hereby down my tools as being bereft of any jurisdiction to reopen matters determined by Radido J. and myself the Court rests.

It is so ordered.

DATED AND DELIVERED AT NAIROBI THIS 5TH DAY OF OCTOBER 2021

NZIOKI WA MAKAU

JUDGE