



REPUBLIC OF KENYA



KENYA LAW
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**Manzu v Transcentury Limited (Cause 445 of 2019)
[2021] KEELRC 382 (KLR) (22 November 2021) (Ruling)**

Khamis Yusuf Manzu v Transcentury Limited [2021] eKLR

Neutral citation: [2021] KEELRC 382 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
CAUSE 445 OF 2019
NZIOKI WA MAKAU, J
NOVEMBER 22, 2021**

BETWEEN

KHAMIS YUSUF MANZU CLAIMANT

AND

TRANSCENTURY LIMITED RESPONDENT

RULING

1. Objection is raised to a question raised by Mr. Ndiema for the Claimant. Objection by Mr. Waiyaki is that the Claimant's Counsel is leading the witness in the manner of questioning put. It is objected that Counsel is putting words in the Claimant's mouth about a phrase on "formal contract". The Objection thus is to the question put since it seems to be nowhere in the letter referred to by the reply to demand letter.
2. Mr. Ndiema for the Claimant maintains that the question is proper and that the witness is being asked to explain. He concedes that there is no formal contract.
3. In a brief reprise Mr. Waiyaki reiterates that his objection is to the leading question being asked.
4. The Counsel for the Claimant surprisingly sought to reply to this despite his arrival that he is a lawyer. Objection taken by Counsel for the Respondent is apt. Counsel for the Claimant has been asking leading questions which the Court had suo moto asked him to refrain from doing. Despite this guidance from Court, he has prompted Counsel for the Respondent to rightly, in my view, object. As the Objection is merited due to the leading questions being asked the Claimant's Counsel is urged to desist from giving answers in the form of purported questions. Objection upheld.

It is so ordered.

DATED AND DELIVERED AT NAIROBI THIS 22ND DAY OF NOVEMBER, 2021



NZIOKI WA MAKAU
JUDGE

