



**REPUBLIC OF KENYA**

**IN THE EMPLOYMENT AND LABOUR RELATIONS COURT OF KENYA AT UASIN GISHU**

**COURT NAME: ELDORET LAW COURT**

**CASE NUMBER: ELRCPET/15/2020**

**CITATION: GEORGE BALA VS CHUKA UNIVERSITY AND EGERTON UNIVERSITY AND 1 OTHERS**

**RULING**

**ON 2021-10-01 BEFORE HON. JUSTICE J. N. ABUODHA**

1. The 1st respondent herein brought an application dated 10th February, 2021 in which it sought orders that Court strike out the 1st respondent from the suit on the grounds that it had been improperly joined to the suit and further to strike out the petition as against the 1st respondent on the grounds that it disclosed no reasonable cause action in law against it.
2. The application was served on the petitioner but no response to it was filed despite several mentions and requests for time by the petitioner to file a response.
3. On 14th June, 2021 when the matter came up for mention, Mr. Omondi for the petitioner informed the Court that although the matter was coming up for directions the parties were pursuing out of Court settlement. The Court however, directed that the petitioner files a response to the present application within 3 days and that the 1st respondent files and serves submissions within 7 days and the Petitioner replies within a similar period after service and the matter be mentioned on 12th July, 2021 for allocation of a ruling date.
4. The Petitioner once again never complied with the Courts directions. In the circumstance the application dated 10th February, 2021 is hereby allowed as prayed.
5. It is so ordered.

GIVEN under my hand and Seal of this Court on 2021-11-02 13:39:39

**SIGNED BY: HON. JUSTICE J. N. ABUODHA (ADMINISTER JUSTICE)**

**THE JUDICIARY OF KENYA.**

**ELDORET ELRC**

**EMPLOYMENT AND LABOUR RELATIONS COURT**

**DATE: 2021-11-02 13:39:3**