



**REPUBLIC OF KENYA**

**IN THE EMPLOYMENT & LABOUR RELATIONS COURT OF KENYA**

**AT NAIROBI**

**CAUSE NO. 325 OF 2020**

**KENYA SHIPPING CLEARING FREIGHT**

**LOGISTICS & WAREHOUSES WORKERS UNION.....CLAIMANT**

**VERSUS**

**VEGPRO (K) VG GROUP LIMITED.....RESPONDENT**

**RULING**

1. The Preliminary Objection herein is the effect that the Respondent asserts the Claim was filed outside the time limits set under the Rules of this Court and Section 90 of the Act. The Court notes that the issue of jurisdiction raised on account of limitation is interrelated with the facts in another case being **Cause No. 357 of 2018 – Moses Otieno and 19 Others v Vegpro (K) Limited** pending before the Magistrates Court.

2. As such, the Court stays this suit given the existence of the other dispute. Stay to last until 30<sup>th</sup> January, 2022 by which time the Parties herein should file a comprehensive bundle containing the pleadings in CMEL No. 357 of 2018.

3. Mention on 30<sup>th</sup> January 2022 for directions upon perusal of the documents to be filed by the Parties herein.

So ordered.

**DATED AND DELIVERED AT NAIROBI THIS 2ND DAY OF DECEMBER, 2021**

**NZIOKI WA MAKAU**

**JUDGE**