

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT OF KENYA

AT NAIROBI

CAUSE NO.1774 OF 2015

JARED OTIENO OPIATA.....CLAIMANT

VERSUS

NATIONAL BANK OF KENYA LIMITED.....RESPONDENT

ORDERS/DIRECTIONS

Upon notice and request by the claimant dated 11th My, 2020 following judgement dated 7th May, 2010 pursuant to the provisions of Rule 34 of the Employment and Labour Relation Court (Procedure) Rules, 2016 providing that;

34. The Court shall, either at the request of the parties or on its own motion, cause any clerical mistake, incidental error or omission to be rectified and shall notify the parties of such rectification.

And the court NOTING the error in the final orders issued directs and orders as follows;

1. The judgement of the court dated 7th May, 2020 is hereby amended in the following terms;

2. The last paragraph of the judgement reads as follows; With regard to costs, section 12(4) of the Employment and Labour Relations Court Act, 2011 makes it discretionary to award costs where it is just. The claimant having succeeded in the substantive claims made, justice demands that costs be awarded. The awards made for notice pay shall be paid with interests from the date due, 16th December, 2014 until paid in full as such ought to have been paid instantly.

3. Taking the above findings in context the final orders chronologised from (a) to

(f) and order (e) should read as follows;

Dues (c) above shall be paid with interest from 16th December, 2014 and until paid in full at court rates;

Instead of;

dues (d) above shall be paid with interest from 16th December, 2014 and until paid in full at court rates;

4. The judgement of the court is hereby amended in the terms above.

5. The Deputy Registrar shall extract as above stated and serve the parties with a correction of the judgement dated 7th May, 2020.

Dated this 14 May, 2020.

M. MBARU

JUDGE