



**Kenya Hotels and Allied Workers Union v Director Classic Hotel (Cause 196 of 2017) [2019] KEELRC 2614 (KLR) (22 January 2019) (Ruling)**

*Kenya Hotels and Allied Workers Union v Director Classic Hotel [2019] eKLR*

Neutral citation: [2019] KEELRC 2614 (KLR)

**REPUBLIC OF KENYA**  
**IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NYERI**  
**CAUSE 196 OF 2017**  
**NZIOKI WA MAKAU, J**  
**JANUARY 22, 2019**

**BETWEEN**

**KENYA HOTELS AND ALLIED WORKERS UNION ..... CLAIMANT**

**AND**

**DIRECTOR CLASSIC HOTEL ..... RESPONDENT**

**RULING**

1. The Claimant sued the Director Classic Court Hotel on 6<sup>th</sup> November 2015 seeking remedies against the Respondent on behalf of 2 Grievants. During the pendency of the suit, the Director passed away. The Respondent's advocate withdrew citing lack of instructions as his client had passed away.
2. The Claimant sought to continue with the suit but in law this is untenable. The Claimant's suit abated and there is no further step that we can take. The Claimant sued an individual and not a corporate entity thereby complicating the suit further. The suit cannot continue and is therefore marked as closed having abated. There is no order as to costs.

It is so ordered.

**DATED AND DELIVERED AT NYERI THIS 22<sup>ND</sup> DAY OF JANUARY 2019**

**Nzioki wa Makau**

**JUDGE**

I certify that this is a true  
copy of the original

**DEPUTY REGISTRAR**

