

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS

AT NAIROBI

CAUSE 177 OF 2019

(Before Hon. Lady Justice Maureen Onyango)

KENYA UNION OF PRE-PRIMARY

EDUCATION TEACHERS.....APPLICANT/CLAIMANT

VERSUS

JANE LITUNYA.....1ST RESPONDENT

MARK AMBITHO.....2ND RESPONDENT

RULING

This matter was to be mentioned for purposes of consolidation with Cause No. 1630 of 2018.

Since the application in Cause No. 1630 of 2018 has been dismissed and since there is already a ruling in this case by Wasilwa J. dated 26th June 2019, parties in this suit are directed to set down the suit for hearing.

The court however notes that the respondents herein stated that they needed the documents to use as evidence in Cause No. 1630 of 2018. Now that the application for leave to file suit in Cause No. 1630 of 2018 has been declined by the court, there is no reason why the documents held by the respondents herein should not be surrendered to the claimant union.

I thus direct that the respondent do surrender the union documents that they are holding to the union as they have no right to hold the same.

DATED, SIGNED AND DELIVERED AT NAIROBI ON THIS 29TH DAY OF NOVEMBER 2019

MAUREEN ONYANGO

JUDGE