



REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT
AT NAIROBI
CAUSE NO.2079 OF 2017

Before Hon. Lady Justice Hellen S. Wasilwa on 22nd February 2018

DAVID K. SONGOK.....1ST CLAIMANT

AGNES GITHUMBI.....2ND CLAIMANT

BEATRICE OMULINDI.....3RD CLAIMANT

=VERSUS=

ERNEST N. NADOME.....1ST RESPONDENT

SHADRACK KIPRONO KIMEIYWO..2ND RESPONDENT

MICHAEL OPIYO.....3RD RESPONDENT

KENYA ELECTRICAL TRADES

& ALLEID WORKERS UNION.....4TH RESPONDENT

REGISTRAR OF TRADE UNIONS.....5TH RESPONDENT

RULING

1. The application before Court is the one dated 17th October 2017 filed by the Applicants herein under Certificate of Urgency. The application was filed through a Notice of Motion filed under Section 12 of the Employment and Labour Relations Court Act, Rule 16 of the Employment and Labour Relations Court Rules, Article 41 of the Constitution of Kenya, Section 46, 47 and 49 of the Labour Relations Act and all enabling provisions of the law. The Applicant sought the following orders:-

1. ***THAT*** this Application be certified urgent and heard *ex parte* in the first instance and that the same be heard immediately in view of its urgency, grounds whereof are detailed in the Certificate of Urgency filed herewith.

2. ***THAT*** the Honourable Court be pleased to issue a mandatory injunction to compel the Respondents and or their servants and or agents and or representatives to lift the suspension and reinstate the Claimants into their official positions of the 4th Respondent's Union as National Chairman as well as the Branch Secretary Nairobi Central Branch, the National Women Coordinator as well as the Branch Treasurer Central Nairobi and the National Assistant Women Coordinator as well as Branch Treasurer Central Rift respectively including their respective sub committees commuted on 2nd September, 2017 pending the hearing and determination of this Application.

3. ***THAT*** the Honourable Court be pleased to issue a mandatory injunction to compel the Respondents and or their servants and or agents and or representatives to lift the suspension and reinstate the Claimants into their official positions of the 4th Respondent's Union as National Chairman as well as the Branch Secretary Nairobi Central Branch, the National Women Coordinator as well as the Branch Treasurer Central Nairobi and the National Assistant Women Coordinator as well as Branch Treasurer Central Rift respectively including their respective sub committees commuted on 2nd September, 2017 pending the hearing and determination of this Claim.

4. **THAT** the Honourable Court be pleased to issue a mandatory injunction to compel the 1st, 2nd, 3rd and 4th Respondents to pay the Claimants their monthly Honorarium and allowances for the months of August and September, 2017 amounting to Kshs 895,000/- and subsequent months unlawfully withheld pending the hearing and determination of this Application.

5. **THAT** the Honourable Court be pleased to issue a mandatory injunction to compel the 1st, 2nd, 3rd and 4th Respondents to pay the Claimants their monthly Honorarium and allowances for the months of August and September, 2017 amounting to Kshs 895,000/- and subsequent months unlawfully withheld pending the hearing and determination of this Claim.

6. **THAT** the Honourable Court be pleased to order the Registrar of Trade Unions to rectify the Register of Officials of the 4th Respondent Union by lifting the illegal suspension and immediate reinstatements of the Claimants to their positions of National Chairman as well as the Branch Secretary Nairobi Central Branch, the National Women Coordinator as well as the Branch Treasurer Central Nairobi and the National Assistant Women Coordinator as well as Branch Treasurer Central Rift commuted on 2nd September, 2017 including their respective sub committees pending the hearing and determination of this Claim.

7. **THAT** the Honourable Court be pleased to issue a temporary injunction to restrain the 1st to 4th Respondents and or their agents and or their servants and or their representatives from procuring and or continuing with procurement of TRV Towers Office Suites No. 7A, 7B and 7F pending the hearing and determination of this Application.

8. **THAT** the Honourable Court be pleased to issue a temporary injunction to restrain the 1st to 4th Respondents and or their agents and or their servants and or their representatives from procuring and or continuing with procurement of TRV Towers Office Suites No. 7A, 7B and 7F pending the hearing and determination of this Claim.

9. **THAT** the Honourable Court be pleased to Order the 1st Respondent to lift the suspension of the 1st Claimant as a Trustee of Kenya Power Pension Fund and the Respondents be restrained from interfering with management and internal affairs of Kenya Power Pension Fund pending the hearing and determination of this Application.

10. **THAT** the Honourable Court be pleased to Order the 1st Respondent to lift the suspension of the 1st Claimant as a Trustee of Kenya Power Pension Fund and the respondents be restrained from interfering with management and internal affairs of Kenya Power Pension Fund pending the hearing and determination of this Claim.

11. **THAT** the Honourable Court be pleased to issue a temporary injunction to restrain the 1st to 4th Respondents, their servants and or agents and or representatives from continuing with adverse disciplinary proceedings against the Claimants and or victimizing the Claimants on account of this Claim pending the hearing and determination of this Application.

12. **THAT** the Honourable Court be pleased to issue a temporary injunction to restrain the 1st to 4th Respondents, their servants and or agents and or representatives from continuing with adverse disciplinary proceedings against the Claimants and or victimizing the Claimants on account of this Claim pending the hearing and determination of this Claim.

13. **THAT** the Honourable Court be pleased to issue a mandatory injunction to compel the 1st to 4th Respondents to remit funds meant for branch operations to all the branches of the 4th Respondent pending the hearing and determination of the claim.

14. **THAT** the costs of this Application be borne by the Respondents.

2. The application is based on the following grounds:-

a) The Claimants are employees of the Kenya Power and Lighting Company as well as members of Kenya Power Pension Fund who are members of Kenya Electrical Trades and Allied Workers Union holding the positions of National Chairman as well as the Branch Secretary Central Nairobi Branch and also a members Representative at the Kenya Power and Lighting Company Limited Retirement Pension Scheme, the National Women Coordinator as well as the Branch Treasurer Central Nairobi and the National Assistant Women Coordinator as well as Branch treasurer Central Rift all having been duly elected into office on 9/1/2016 and 23/1/2016 respectively and Registered by the 5th Respondent.

b) The 1st, 2nd and 3rd Respondents are the General Secretary, Trustee 1 and Trustee 3 respectively of the 4th Respondent Union.

c) The 1st Respondent has never been and is not a member of the Kenya Power Pension Fund and is neither an employee of Kenya Power and Lighting Company however he is illegally holding a position of Trustee of Kenya Power Pension Fund a position he imposed himself upon the fund.

d) The 4th Respondent is a duly registered Trade Union under Section 4 of the Labour Relations Act while the 5th Respondent is the Registrar of Trade Unions who regulates and registers Trade Unions.

e) Pursuant to the provisions of 4th Respondent Union Constitution, the Claimants are members of the National Executive Board and at the same time doubling as Branch Officials of the 4th Respondent Union branches.

f) On 24th August, 2017 the 1st Respondent sent out an email request and an attachment list with names to Claimants

employer Kenya Power and Lighting Company Limited management seeking for the release and facilitation for the Claimants travel to an intended meeting on 25/8/2017 at Tom Mboya Labour College in Kisumu for a National Executive Board meeting.

g) The said meeting was not notified on the members as required by Article 7.2 of the Union Constitution and the Claimants informed the Registrar of Trade Union vide our letter dated 24th August, 2017.

h) On 25th August, 2017, the illegal meeting went on and immediately thereafter, the General Secretary of the 4th Respondent issued disciplinary Notices to the Claimants sighting several allegations of breach of Discipline of the 4th Respondent's Constitution as follows i) Failure to attend properly constituted Top & National Executive Board meetings on 17th August, 2017 and the 25th August, 2017 respectively ii) Circulating requisition forms calling for a special delegate's congress iii) Agitating and spearheading for amendments of the Constitution and election of the National officials iv) Acting in a manner likely to put the Union in jeopardy v) undermining the leadership of the Top Executive Board and National executive Board vi) Failure to execute legal documents vii) Inciting Board members and viii) Failure to Champion members rights.

i) Among the issues of discipline the Claimants were being accused of having committed were that they absconded and or failed to attend a properly constituted "Top and National Executive Board meeting" on 17th August, 2017 at Union Offices at Rainbow Plaza Parklands and 25th August, 2017 at Tom Mboya Labour College in Kisumu respectively, which meetings were not summoned as stipulated in the 4th Respondent Constitution and that there was no reason at all for calling for an emergency meeting.

j) In the illegal meeting of 25/8/2017 which did not have a quorum and the Claimants were not notified to attend as members of the executive board, the executive board illegally appointed one PETER NTHAKA as a member of the executive board.

k) The two meetings alluded to were illegal and not properly constituted in accordance with the Union Constitution as there were no notices issued to the officials and particularly to me as the National Chairman in breach of Section 7.2 of the Union Constitution which requires a written Notice of seven (7) days to all members of the National Executive Committee in which case the meetings of 17th August, 2017 at Union Offices at Rainbow Plaza Parklands Nairobi and 25th August, 2017 at Tom Mboya Labour College in Kisumu respectively did not meet the requirement for a legal executive meeting thereby making such meetings illegal.

l) In deed the Claimants were not aware of those meetings which were secretly conducted by the 1st Respondent with a view to sideline them as officials and particularly the 1st Claimant who is a key member of the Union Secretariat as the National Chairman.

m) On 1st September, 2017 the Claimants Responded and denied all the accusations as leveled against each one of them and in their respective responses, they clearly stated that the alleged meetings were summoned without following the Constitution which requires that a seven days Notice be issued to each member of both the Top and National Executive Board unless it is an emergency meeting which was not the case and further that Article 17.6 of the Union Constitution affirms that the National Chairman shall be the absolute Judge regarding the validity of any vote cast at a meeting of the National Executive Board or top Executive of the Union in which case any of the alleged meetings did not comply with the aforementioned provisions of the Union Constitution.

n) On 2nd September, 2017 the National Executive Board met pursuant to a disciplinary notice dated 25th August, 2017 and deliberated on Claimants responses and resolved that the Claimants be Suspended from running the affairs of the Union both at the National and at the Branch level and further that the 1st Claimant be removed from other all sub committees including his trusteeship at the Kenya Power Pension Fund where he represented members.

o) Upon receiving suspension letters, the Claimants wrote to the 4th Respondent Registrar of Trade Union herein on 4th September, 2017 objecting to any activity and or resolutions which would come from the illegal disciplinary meeting of 2nd September, 2017 and subsequently, the 5th Respondent wrote back to Claimants on 7th September, 2017 informing them of her decision on the deliberations and resolutions of the illegal meeting of 2/9/2017 concerning Claimants objections.

p) In her response dated 7/9/2017, the 4th Respondent who appeared to have taken sides with the other respondents indicated that she had made a decision to suspend Claimants citing the provisions of Article 7.2 of the Union Constitution to the effect that claimants had not attended three consecutive meetings, the position which was not true as the meetings alluded to by the 1st Respondent in the Disciplinary Notice dated 25/8/2017, were two meetings which allegedly took place on 17/8/2017 and 25/8/2017 which the Claimants were alleged not to have attended which meetings were only two and not three as required under Article 7.2 of the Union Constitution which was alluded to by the 4th Respondent, Registrar.

q) In deed the Claimants appealed their suspension to the 1st Respondent upon receipt of the 5th Respondent's letter dated 7/9/2017 which appeal has was responded to but the 1st Respondent in his letter dated 18/9/2017 indicated that the Board did not discuss the appeal and that the same had been deferred to the next Board meeting upon me submitting the same in.

r) Although the meetings of 17/8/2017 and 25/8/2017 were two and not three, which are required for as a condition for suspension in case an official fails to attend the Claimants did not even receive notices to attend the said meetings and it is clear that the two meetings were illegal as they took place in the Claimants absence particularly the 1st Claimant as the key

member and the National Chairman of the Union.

s) In deed the Registrar's action of suspending claimants from the Register of Officials was in itself in breach of the Union Constitution and principles of natural Justice as she did not grant Claimants a hearing before the decision to suspend the Claimants was made.

t) In the disciplinary meeting of 2nd September, 2017 the National Executive Board Meeting decided on matters which it did not have jurisdiction to deal with including suspending the 1st Claimant from the trusteeship of the Kenya Power Pension Fund where he represent the members as a trustee, a position which the 1st Claimant earned through members election and it was not one of the disciplinary issues.

u) The 1st Claimant was nominated to be a trustee by members pursuant to Rule 13 and 14 of the Trust deed Rules which provides that even his removal from the Trusteeship shall be done by the fellow trustees and not the Union and the resolution by the Union arrived at on 2/9/2017 to suspend the 1st Claimant from the Trusteeship is null and void *ab initio*.

v) In accordance with Rule 16 of the Trust Deed of Kenya Power and Lighting Company staff Retirement Benefit Scheme 2006 dated 20/1/2010, the 1st Claimant's election as a Trustee has a term of Three (3) years and as at the time of such suspension, he had not finished the three years from the date of his election which was on 23/1/2016.

w) The conditions for removal of a Trustee are laid down under Rule 17 of the Trust Deed Rules and none of the conditions had been breached by the 1st Claimant to be subjected to a suspension therefore through a resolution of the Union which is not a body appointed to discipline Trustees holding office in the Staff Retirement Benefit Scheme 2006.

x) The meetings of the 17/8/2017 and 25/8/2017 were illegal as they did not have a quorum of 2/3 of the total members of the National Executive Board which is 39 making quorum to be to be 26 instead only 25 people attended which was below the legally required number to constitute a quorum.

y) The meeting of 2/9/2017 further made resolutions which were outside their mandate as the National executive Board and in particular, the meeting resolved to suspend the 1st Claimant from my National as Chairman and Branch as Secretary the powers which are vested in the Branch General Meeting of Members, a Delegates Congress or Special Congress of the entire Membership of the Union pursuant to Article 22.4 of the Union's Constitution.

z) The resolutions arrived at the meeting of 2/9/2017 suspending the Claimants from their positions, as officials of the Union were illegal as the meeting used the disciplinary Section of Article 19.1 of the Union Constitution which deals with disciplining /suspending/expelling of rank and file members of the Union who infringes on any terms of the Constitution a section which has nothing to do with discipline of officials like Claimants and staff of the Union which is done under Article 19.8 of the Union Constitution for injuring or attempting to injure the Union or its members interest or attempting to obtain benefits by means of misrepresentation or participating in or being a party to any fraud or misappropriation of the Union Funds. The resolutions were therefore null and void and the 4th Respondent ought not to have acted on them to suspend Claimants from their positions.

aa) In deed under Article 19.8 of the Union Constitution, the National executive Board has no Powers to Suspend or expel an official or staff from the Union neither has any penalty been defined by that Article as a disciplinary measure for the officials and staff of the Union.

bb) The resolutions arrived at by the National Executive Board in the meeting of 2/9/2017 were illegal as they were made in the Claimant's absence as the National Officials of the Union and without his declaration as required under Article 22.3.3.

cc) The reason the Claimants are being victimized is because they refused to execute documents intended to be used in an illegal transaction of acquisition of TRV Towers Office Suites Numbers 7A, 7E and 7F on Plot No. LR 209/21506 situated in Ngara Nairobi without following the Government procedures and Procurement Laws in investing of members funds amounting to over Kshs 56,700,000/- by single sourcing and not open tendering as required by Procurement Laws. There is no way the Claimants were going to sign such a document where it was obvious the members borrowed money was going to be invested.

dd) The meeting of 2/9/2017 and its resolutions were all preplanned by the 1st Respondent as all the Claimants who were supposed to receive their monthly Honorarium allowances on 1/9/2017 did not receive the same while others were paid prior to the Disciplinary meeting.

ee) The 1st Respondent in addition to being involved in the illegal transaction of purchasing TRV Towers, has been misusing Union Funds which he receives as allowances and to that end he has been holding several meetings and within a span of one month alone, he has called for more than four (4) meetings which were held on 10/8/2017, 17/8/2017, 25/8/2015, 2/9/2017 and 16/9/2017 Contrary to Article 7.2 of the Union constitution which requires at least two meetings in one year. All those meetings are intended to unlawfully enrich the 1st Respondent with Union Money whereas Article 12.3 of the Union Constitution requires the 4th Respondent to remit funds to the branches for operations which has not been the case for over three years.

ff) Despite the 2nd and 3rd Respondents as Trustees of the Union being custodians of the Union property and mandated to

follow the law in any transaction, they are actively involved in the illegal transaction and or acquisitions of TRV Towers Office Suites instead of protecting the members funds and property and are also enriching themselves from the several meetings being called by the 1st Respondent without raising any finger.

gg) Contrary to the provisions of Article 4.4 of the Union Constitution, which provides that all Branch Officials including shop stewards shall be literate in English and Kiswahili and with at least a minimum of form Four (IV) level of education, the 1st Respondent has permitted one VINCENT OKULO to unlawfully hold office as branch secretary West Kenya and the 1st National Vice Chairman of the Union and has currently and illegally appointed him to act as the National Chairman without Mandatory legal qualifications.

hh) On 15/9/2017, I received a letter from the 1st Respondent requiring me to hand over National Chairman's Office to one VINCENT OKULLO is not academically qualified to hold any office in the Union pursuant to the provisions of Article 4.4 of the 4th Respondent Union Constitution.

ii) The 1st Respondent has Unilaterally allowed himself and his Deputy to run and transact in the Union accounts without the 1st Claimant who is National Chairman yet the Deputy General Secretary is supposed to be an alternate account Signatory in case the 1st Respondent is absent.

jj) The Respondents have been illegally withholding and continue withholding our monthly Honorarium /Allowances for the months of August and September, 2017 amounting to Kshs 895, 000/- as a result of which we have been suffering and continue suffering as we are not able to meet our normal financial obligations.

kk) The Respondents particularly the 1st to 4th Respondents have been acting in a discriminatory manner in the sense that one of the National Board Members GIDEON MALUMBE, Assistant National Treasurer as well as Branch Secretary Mount Kenya North of the 4th Respondent Union respectively who did not attend the two illegal meetings of 17/8/2017 and 25/8/2017 and was never suspended nor issued with a Disciplinary Notice even after demanding for the Disciplinary notice and was never suspended alongside the Claimants.

ll) In deed the said JAMES MAINA as well as the Branch Secretary Mount Kenya South was issued with a disciplinary notice and he replied to it challenging the legality of the two meetings but was never suspended with the Claimants, an act that was discriminatory as the alleged accusations were the same and affected all the officials suspended including the Claimants.

mm) Unless the orders sought of payment of the Claimants Honorarium/Allowances for the months of August and September, 2017 are granted the Claimants are likely to suffer substantial loss which will never be compensated by way of damages.

nn) It is fair and just that Respondents be ordered to lift the suspension of the Claimants commuted on 2.9.2017 and the Claimants be reinstated into their positions as the National Chairman as well as the Branch Secretary Central Nairobi Branch and also a members Representative at the Kenya Power and Lighting Company Limited Retirement Pension Scheme, the National Women Coordinator as well as the Branch Treasurer Central Nairobi, the National Assistant Women Coordinator as well as Branch Treasurer Central Rift, the National Assistant Organizing Secretary as well as Branch Secretary Central Rift and the Trustee 2 as well as the Branch secretary Nairobi South respectively.

oo) The Claimants have a prima facie case and the balance of convenience is in their favour.

3. The application is also supported by the Supporting Affidavit of the 1st Claimant Applicant herein who has in principle made averments similar to those made in the Grounds in Support of the Application.

Response

4. The application was opposed by the Respondents herein through their Replying Affidavit duly sworn by one Kosgey Kolil the 4th Respondent's Deputy General Secretary herein who has deponed that in response to paragraph 4 of the supporting Affidavit, the position held by the 1st Respondent as Trustee is held by virtue of the elections carried out by the Union Constituent Group through its National Delegates Congress or the National Executive Board of the union and is in no way a violation of the said office.

5. The Respondents also deny violation Article 7.2 of their Constitution as alleged in paragraph 7 of the Applicant's Supporting Affidavit by calling for a National Executive Board meeting on 25th August 2017.

6. The Respondents deponed that notices of the meetings were issued and have attached the said notices at page 197 to 207 of their bundle. They aver that these are even emails from some of the members seeking to be excused (KK 17) page 206 of the bundle is the email to the employer to allow them to attend the said meetings. That this was in compliance with the Parties Recognition Agreement which allows the Employer to be notified of the absence of the employee who are officials of the 4th Respondent.

7. The Respondents also submit that they had quorum to attend the meeting as seen from page 15 and 16 of their documents. In relation to the National Executive Board meeting on 25th August 2017, the Respondent deny the same illegal. They aver that the disciplinary notices were issued in total compliance with the 4th Respondent's Constitution in disciplining errant officials as provided under Articles 19 and 22 of

the Union Constitution.

8. The Respondents also aver that there were compelling reasons for the calling of the National Executive Board meeting and the 1st Claimant as Chair was expected to chair and direct the meeting. They state that the agenda of the meeting demonstrates its compellability. They submit that if the 1st Respondent through the agenda had non issues, he ought to have attended and raised the non-issues at the meeting.

9. The Respondent aver that the meeting called had quorum and they annexed a copy of the duly signed attendance list marked KK 7 to demonstrate that the requirement of quorum was satisfied.

10. The Respondents therefore submit that all their decisions and actions were within the confines of the Respondents' Constitution and that the Claimants were accorded fair hearing in accordance with the principles of natural justice as envisaged under Article 19 and 21 of the Respondents Constitution.

11. The Respondents aver that the power to discipline the errant officials is vested in National Executive Board and the Top Executive Board by Article 19 and 22 of the Unions Constitution.

12. The Respondents have deponed that the resolution to have the 1st National Chairman act was passed by a resolution in accordance to Article 22 read with Article 7 and 9 of the 4th Respondent's Constitution.

13. The issue of the illegal purchasing of TRV Towers offices Suites No. 7A, 7E and 7F on Plot No. LR 209/21506 situated in Ngara, the Respondents have submitted that this was approved by the 1st Claimant and this was affirmed through his signing of the National Executive Board Resolution as per Appendix KK8 – held on 17th November 2016 and dated 18th November 2016 which was duly signed by the 1st Claimant.

14. That the 1st Claimant subsequently signed the lease documents and willingly gave his details to the vendors lawyers including his passport size photograph – as per Annex KK 9A, 9B and 9C.

15. The Respondents aver that they complied with the Union's Constitution in relation to the acquisition of property and in particular Articles 3.6, 7.0, 7.6, 9.0, 9.9, 12, 12.4, which Articles provide for the utilization of the Union funds, borrowing powers of the Union, property acquisition, objectives of the Union etc. as per Annexures KK 10.

16. The Respondents therefore aver that they have not done anything, which is illegal, and that no transaction has shown personal benefit to the trustees and/or the 1st Respondent from the funds of the Union. The Respondents deny abusing the Unions property. The Respondents aver that the prayers sought should not be granted.

17. They also support that James Maina the 2nd National Vice Chairman was issued with a disciplinary notice and he submitted his submissions and appeared before the Board. He was also to convince the Board of the reasons for his absence and was pardoned.

18. The 5th Respondent also filed their Replying Affidavit which affidavit was deponed by one Elizabeth Gicheha the Registrar of Trade Unions. She deponed that the application does not raise any cause of action.

19. I have considered the averments of the parties plus the written submissions filed the by 5th Respondent.

20. The Applicants herein have sought mandatory injunction to compel the Respondents to lift their suspension and reinstate their benefits in form of honoraria as members of National Executive Board of the 4th Respondent.

21. I note that what is pending before the National Executive Board are disciplinary proceedings concerning the Claimants herein. The Claimants Applications appealed against the decision made by the Respondent's National Executive Board which appeal has not been resolved to date.

22. In this Court's view, under Article 4(4) of the Constitution, Union and their members have a right to determine their own administrative programmes and activities. These activities extend to their own internal disciplinary mechanisms. Courts have stated over and over again that they will not interfere with an employer's internal disciplinary process unless the process is flawed and the aim will be to put it back on track in a procedural and fair process (See **Industrial Cause No. 1200 of 2012 – Professor Gitile Naituli vs University Council Multimedia University College and Another, Alfred Njuguna Kimungui vs Bomas of Kenya Case No. 620/2013, and Indris Aden Mukhatar & 2 Others vs County Government of Garissa and Another Petition No. 46 of 2015**).

23. The Applicants have not submitted where the Respondent's disciplinary process is flawed. In any case, I have considered the submissions made by both parties. I note that the disciplinary process is on course. I would be reluctant to interfere with it at this stage.

24. I find that the application before me has no merit. I therefore dismiss it accordingly and order that the Claimant Applicants exhaust their internal disciplinary processes before seeking further redress from this Court.

25. Costs in the cause.

Read in open Court this 22nd day of February, 2018.

HON. LADY JUSTICE HELLEN WASILWA

JUDGE

In the presence of:

Onyonyi for Respondents – Present

Mageto for Claimant – Present