



**REPUBLIC OF KENYA**

**IN THE EMPLOYMENT & LABOUR RELATIONS COURT**

**AT NAIROBI**

**CAUSE NO. 1088 OF 2011**

*(Before Hon. Justice Mathews N. Nduma)*

**DANIEL GITHINJI WAIGANJO.....PLAINTIFF**

**=VERSUS=**

**KENPIPE SACCO.....DEFENDANT**

**R U L I N G**

1. Upon considering the papers filed of record and the submissions by the parties, and upon taking into account the substantial delay occasioned in this matter for reasons beyond the control of the parties, the Notice of Motion Application dated 6<sup>th</sup> February, 2017 and filed on 6<sup>th</sup> February, 2017 is granted in the following terms:-

- a. The firm of P. Kiiru & Company Advocates to take over the conduct of this matter on behalf of the Plaintiff/Applicant from the firm of M/s Eliphas Ombati & Co. Advocates.
- b. That the Notice of Change of Advocates dated 1<sup>st</sup> February, 2017 is deemed to be duly filed.
- c. The firm of M/s. Eliphas Ombati & Co. Advocates, if they have any claims of unpaid professional fees do file the Advocate Client Bill of Costs for taxation before the Deputy Registrar of the Court.
- d. The costs of this application to abide the outcome of the appeal.

**Ruling Dated, Signed and delivered this 18th day of April, 2018**

**Mathews N. Nduma**

**Judge**

**Appearances:-**

Mr. Kamau for Claimant/Applicant

M/s. Lwila for Respondent

Mr. Eliphas Ombati (Former Advocate for the Claimant)

Anne Njung'e – Court Clerk