

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT KISUMU

CAUSE NO. 438 OF 2017

(Before Hon. Justice Mathews N. Nduma)

JAMES OYUGI MANGLA.....CLAIMANT

VERSUS

KENYA NATIONAL UNION OF TEACHERS....1ST RESPONDENT

KENYA NATIONAL UNION OF

TEACHERS HOMA BAY BRANCH.....2ND RESPONDENT

R U L I N G

1. The present suit is set down for hearing on 7th February, 2019. An issue arose as to whether the suit was partly settled by an admission made by the Respondent by a letter dated 3rd October, 2017 and by a consent before Nzioki wa Makau J. in cause no. 1325/2012.
2. The Claimant/Applicant sought to invoke Rule 15(1) of the Employment and Labour Relations Court (Procedure) Rules 2016 to allow the matter to be marked as settled and therefore not to be canvassed in this matter and the unpaid balance be paid forthwith.
3. The court does not have sufficient information to make a determination on this matter and directs the parties to comply with the terms of the consent order before Nzioki wa Makau J. in cause no. 1325/2012 and as articulated by the letter of the Respondent dated 31st October, 2017. Any outstanding issues to be canvassed and resolved in the present suit.

Ruling Dated, Signed and delivered this 4th day of October, 2018

Mathews N. Nduma

Judge

Appearances

Mr. Onyony for Claimant

Mr. Awele for Respondent

Chrispo – Court Clerk