

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT KISUMU

CAUSE NO. 167 OF 2017

(Before Hon. Justice Mathews N. Nduma)

AUGUSTINE BALA OSOGO & 157 OTHERS.....CLAIMANT

VERSUS

MAGROSE SECURITY SERVICES LIMITED.....1ST RESPONDENT

COUNTY GOVERNMENT OF HOMA BAY2ND RESPONDENT

RULING

1. The Claimant filed a Statement of claim dated 20th April, 2017 seeking payment of Kshs.14,800 being fees owed to the Claimant by the Respondents for services rendered.
2. The Claimant at the same time filed an urgent application seeking the 2nd Respondent to disclose to the court the total amount it owes the 1st Respondent and that 2nd Respondent be compelled to deposit in court the sum it owes the 1st Respondent and that the court deducts a sum of Kshs.14,800.00 owed to the Claimant by the 1st Respondent from the sum deposited by the 2nd Respondent in court.
3. The factual issues raised in this application cannot be determined without hearing the main suit on merits.
4. The application is non-suited and is dismissed.
5. The Respondents are directed to file statements of defence to the suit within 21 days to allow the matter to take its normal cause.

Dated, Delivered and Signed in Kisumu this 20th day of December, 2018

Mathews N. Nduma

Judge

Appearances

Ken Omollo for the Claimant

M/s. Nyauke for 2nd Respondent

Chrispo – Court Clerk