

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT OF

KENYA AT NAIROBI

CAUSE 1840 OF 2015

NICHOLAS KIPKEMOI KORIR.....CLAIMANT

VERSUS

HATARI SECUIRTY GUARDS LIMITED.....RESPONDENT

RULING

1. The claimant herein seeks review of the court’s judgement delivered on 17th June, 2016.
2. The rules of the court are quite clear on the circumstances under which a court can review its judgement. An applicant for review must not invoke the provisions for review while in essence he seeks a second hearing of the dispute by the same Judge or Judge of concurrent jurisdiction hoping the Judge can arrive at a different conclusion. That should be left for the appellate court.
3. In his memorandum of review, one of the reliefs sought is that I declare my own judgement unfair and illegal hence null and void. I cannot do that. If the claimant is of the view that I made an error in arriving at the decision I made then the proper course is to file an appeal.
4. The court therefore is of the view that the application as filed does not fit the parameters for which a review of judgement may be made.
5. The same is therefore found without merit and is dismissed with costs.
6. It is so ordered.

Dated at Nairobi this 3rd day of March, 2017

Abuodha J. N.

Judge

Delivered this 3rd day of March, 2017

In the presence of:-

.....for the Claimant and

.....for the Respondent.

Abuodha J. N.

Judge