

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI

CAUSE NO. 1544 OF 2014

DORCAS KAVUTHA MUTUNGA

CLAIMANT

v

AFRICA APPARELS EPZ LIMITED

RESPONDENT

RULING

1. This Cause was filed in Court on 4 September 2014 and a Response was filed on 10 December 2014.
2. The hearing commenced on 17 February 2015 but the Claimant was stepped down in order for an Amended Memorandum of Claim to be filed and on 7 May 2015, the Claimant filed an Amended Memorandum of Claim.
3. When the Cause came up for further hearing on 13 May 2015, the Respondent sought for time to file an amended Response.
4. The Court allowed the Respondent time to file an amended Response and directed that a hearing date be taken in the Registry. An amended Response was filed on 20 May 2015.
5. From 13 May 2015 the parties did not move the Registry for a hearing date and on 16 March 2017, the Deputy Registrar issued a Notice to Show Cause as part of the *service week*.
6. The Claimant's advocate on record acknowledged receipt of the Show Cause but did not turn up in Court on 6 April 2017.
7. The Respondent therefore applied to have the Cause dismissed.
8. In the circumstances, the Court orders the Cause dismissed with no order as to costs.

Delivered, dated and signed in Nairobi on this 7th day of April 2017.

Radido Stephen

Judge

Appearances

For Claimant Mbichire & Co. Advocates

For Respondent Ms. Ashubwe instructed by Eshiwani & Ashubwe Advocates

Court Assistant Nixon