



**REPUBLIC OF KENYA**  
**IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI**  
**CAUSE NO. 360 OF 2013**

**JOSEPH KABUTHU WANGIRI      CLAIMANT**

**V**

**CHARLES FRANCIS KIRANGA    RESPONDENT**

**RULING**

1. The Cause was filed on 10 March 2013 and a Response was filed on 16 April 2013.
2. On 20 March 2014 when the Cause came up for hearing none of the parties were present/represented.
3. When the Cause came up for hearing the second time, on 26 January 2015, the hearing was adjourned because the Respondent was not available.
4. Since then, there has been no action taken to progress the Cause for hearing.
5. On 8 March 2017, the Deputy Registrar issued a hearing notice for 4 April 2017, but when the Cause was called out for hearing, none of the parties were present.
6. The Court, considering that no action has been taken for about 2 years and that the parties failed to appear for the hearing, orders that the Cause be dismissed with no order as to costs.

**Delivered, dated and signed in Nairobi on this 6<sup>th</sup> day of April 2017.**

**Radido Stephen**

**Judge**

**Appearances**

Claimant Kariuki Kamau & Partners Advocates

Respondent Wainaina & Karimi Advocates

Court Assistant Nixon