



**REPUBLIC OF KENYA**  
**IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI**  
**CAUSE NO. 1747 OF 2011**

**LAWRENCE OTIENO OWINO.....1<sup>ST</sup> CLAIMANT**

**MONICA MWERU MWANGI.....2<sup>ND</sup> CLAIMANT**

**VERSUS**

**GIDEON MALUMBE.....1<sup>ST</sup> RESPONDENT**

**KENYA ELECTRICAL TRADES AND ALLIED**

**WORKERS UNION.....2<sup>ND</sup> RESPONDENT**

**REGISTRAR OF TRADE UNIONS.....3<sup>RD</sup> RESPONDENT**

**RULING**

1. The Cause was filed on 17 October 2011. It was accompanied with a motion under certificate of urgency seeking to restrain change of 2<sup>nd</sup> Respondent's Mount Kenya North branch officials.
2. On 19 October 2011, the Court directed that the motion be served upon the Respondents.
3. During the scheduled *inter partes* hearing on 11 November 2011, none of the parties attended Court.
4. On 3 January 2012, Onyony & Co. Advocates came on record for the 1<sup>st</sup> and 2<sup>nd</sup> Respondents.
5. Since then, there has been no action taken to progress the application on file and/or the Cause for hearing.
6. 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.
7. The Court considering that no action has been taken for about 6 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**

