

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI

CAUSE NO. 1505 OF 2013

**KENYA UNION OF DOMESTIC, HOTELS, EDUCATIONAL
INSTITUTIONS & HOSPITAL WORKERS.....CLAIMANT**

v

NAIROBI SAFARI CLUB.....RESPONDENT

RULING

1. The Claimant Union moved Court on 18 September 2013 and the issue in dispute was stated as

1. Unlawful redundancy of 26 employees/Claimant members as hereunder
2. Infringement of workers' rights and labour malpractice.

2. At the same time, the Claimant Union filed a motion under certificate of urgency seeking temporary orders stopping the redundancies.

3. The motion went through the processes culminating in an appearance before Court on 11 March 2015 when the Claimant Union sought leave to amend the Memorandum of Claim. The leave was granted but there is nothing on record to show an amended Memorandum of Claim was filed.

4. On 8 March 2017, the Deputy Registrar of the Court issued a Notice to Show Cause to the parties to explain why the Cause should not be dismissed.

5. When the Notice was called out on 6 April 2017, Mr. Tonge, Industrial Relations Officer with the Claimant Union informed the Court that the Union had no objection to the dismissal of the Cause because the Respondent had made payments to the Grievants and therefore the Cause had been overtaken by events.

6. With the concession by the Union, the Court orders that this Cause be 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 Mr. Tonge, Industrial Relations Officer, KUDHEIHA

For Respondent Mogeni & Co. Advocates

Court Assistant Nixon