



**REPUBLIC OF KENYA**

**IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI**

**CAUSE NO. 941 OF 2013**

**MUTUA KAVUA.....CLAIMANT**

**VERSUS**

**MANDEEP SINGH CONSTRUCTION (K) LTD.....RESPONDENT**

**RULING**

1. The Cause was filed on 20 June 2013.
2. On 7 August 2013, the Respondent filed an application under certificate of urgency seeking for extension of time to file a Response. The Court allowed the Respondent 14 days within which to file a Response. The Response is not on record.
3. Since then, there has been no action taken to progress the Cause for hearing.
4. 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.
5. The Court considering that no action has been taken for about 3 years and that the parties failed to appear for the hearing, the Court 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            Gakoi Mana & Co. Advocates

Respondent        Wanjama & Associates Advocates

Court Assistant   Nixon