

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI

MISC CIVIL APPL. NO. 31 OF 2012

PAUL NZIOKA NGULI

CLAIMANT

v

THE LIQUIDATOR AKAMBA BUS SERVICE LTD

RESPONDENT

RULING

1. The Applicant filed an application on 16 November 2012 seeking leave to institute legal proceedings against the Respondent.
2. The Applicant subsequently sought to amend the application on 14 December 2012 and leave was granted to amend within 21 days. The amended application was not filed despite Court granting a last adjournment on 30 January 2013. In fact, the applicant failed to attend Court on 27 February 2013 when the filing of amended application was to be confirmed.
3. Since then, there has been no action in the file.
4. On 8 March 2017, the Deputy Registrar issued a hearing notice for 4 April 2017, but when the application 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, orders that the application dated 15 November 2012 be dismissed with no order as to costs.

Delivered, dated and signed in Nairobi on this 6th day of April 2017.

Radido Stephen

Judge

Appearances

Claimant	B.M. Mungata & Co. Advocates
Respondent	no appearance
Court Assistant	Nixon