



**REPUBLIC OF KENYA**

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

**MISCELLANEOUS APPLICATION NO. 104 OF 2016**

**JOYCE KALE MITHAI.....CLAIMANT**

**VERSUS**

**MICHIMIRIKU TEA COMPANY LIMITED..... RESPONDENT**

**RULING**

1. Under Section 90 of the Employment Act, the Court lacks jurisdiction to extend time once the period limited by the Act for filing cases based on the Act or employment contract generally has lapsed.

2. It is so ordered.

Dated at Nairobi this 28<sup>th</sup> day of April 2017

**Abuodha J. N.**

**Judge**

Delivered this 16<sup>th</sup> day of June 2017

**In the presence of:-**

No appearance for the parties

**Abuodha J. N.**

**Judge**