

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT OF

KENYA AT NAIROBI

MISCELLANEOUS NO. 46 OF 2016

JOTHAM BARASA LUSASI.....CLAIMANT

VERSUS

KENYATTA NATIONAL HOSPITAL.....RESPONDENT

RULING

1. The Court has reviewed and considered the ex-parte Originating Summons dated 29th February, 2016 and became of the view that under section 90 of the Employment Act, the Court lacks jurisdiction to extend time once the period limited by the Act for filing of cases based on the Act or employment contracts generally has lapsed.

2. The application is therefore dismissed with no order as to costs.

3. It is so ordered.

Dated at Nairobi this 14th day of July 2017

Abuodha J. N.

Judge

Delivered this 14th day of July 2017

In the presence of:-

..... for the Claimant

..... for the Respondent