



**REPUBLIC OF KENYA**  
**IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT ELDORET**

**CAUSE NO. 20 OF 2017**

**(Originally Nakuru Cause No. 172 of 2014)**

**PATRIC HANDA**

**CLAIMANT**

**v**

**RAI PLYWOODS (K) LTD**

**RESPONDENT**

**RULING**

1. Patrick Handa (applicant) instituted proceedings against Rai Plywoods (K) Ltd (Respondent) on 26 May 2014 alleging breach of contract/unfair termination of employment.
2. The Respondent filed a Response on 18 December 2014.
3. On 16 July 2014, the Court scheduled the hearing for 17 March 2015 in the presence of Ms. Wanjiru holding brief for Mr. Kipkoech.
4. When the Cause was called out for hearing on 17 March 2015, the Claimant sought an adjournment on the basis that counsel on record was attending the High Court in Eldoret.
5. The Court granted the adjournment and directed that the Claimant pay court adjournment fees.
6. On 4 February 2016, the Claimant secured a mention date in the registry for a mention on 19 July 2016.
7. However, the Claimant did not attend Court and the Court directed that the Cause be stood over generally. The Claimant was directed to pay court adjournment fees.
8. Again, on 28 July 2016, the Claimant applied to the Registry for a mention date. The Registry scheduled mention for 27 October 2016.
9. None of the parties attended Court on 27 October 2016 and the Court stood over the Cause with an order that the Claimant pays court adjournment fees for the day and the fees ordered previously (the Claimant had not paid the adjournment fees directed on 19 July 2016).
10. On 21 November 2016, the Claimant yet again moved the Registry to schedule the Cause for mention and the Registry scheduled mention for 1 March 2017.
11. On 1 March 2017 the Court directed that *Agreed Issues* be filed before 31 March 2017 and mention to confirm was fixed for 10 April 2017, during which the *Issues* as proposed by the Claimant were adopted.

