

REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT OF
KENYA AT NAIROBI
CAUSE NUMBER 1919 OF 2013

KENNEDY OTIENO OLUOCH.....CLAIMANT

VERSUS

ROTO MOULDERS.....RESPONDENT

RULING

1. By a Motion dated 2nd August, 2016 the applicant seeks review of the court's judgement delivered on 17th June, 2016. The application was based on the grounds among others that there were apparent errors on the face of the record which required that the judgement be reviewed.
2. The applicant complained that whereas the court found that the claimant had not provided sufficient evidence that he had been unfairly terminated, the court went ahead and made an award in favour of the same claimant.
3. The applicant further accused the judge of contradicting himself in the said judgement. The grounds for which a court can review its judgement are clearly set out under rule 32 of the court rules. The court has considered the present application and the grounds upon which it has been brought and is of the view that it is more of an attack and critique of the said judgement which should properly form grounds of appeal against the judgement and not review.
4. The court therefore finds the application without merit and hereby dismisses the same with costs.
5. It is so ordered.

Dated at Nairobi this 22nd day of September, 2017

ABUODHA J. N.

JUDGE

Delivered this 22nd day of September, 2017

NDERI NDUMA

JUDGE

In the presence of:

.....for Claimant

.....for Respondent