

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAKURU

CAUSE NO. 621 OF 2014

GEORGE OMONDI OTIENO

CLAIMANT

v

GOOD BREAD KENYA LIMITED

RESPONDENT

RULING

1. The Respondent filed a motion on 30 May 2017 seeking

1) **THAT** the firm of JACKSON OMWENGA & CO ADVOCATES be allowed and or leave be granted to cease acting for the defendant.

2. **THAT** the costs of this application be provided for.

2. When the application was placed before Court on 19 July 2017, the Respondent informed the Court that the application had not been served. The Court directed that the application be served upon all the parties and scheduled hearing for 9 October 2017.

3. However, on 9 October 2017, it turned out that the firm of advocates on record for the Respondent had not served the Claimant and the Respondent.

4. The explanation given was that the advocate who held brief on 19 July 2017 (Ms. Kerubo) had not currently relayed the orders/directions given by the Court.

5. In the view of the Court, the advocate on record for the Respondent has not been diligent in serving the application as required by the practices and rules of Court.

6. The Court therefore orders that the motion dated 6 April 2017 be dismissed with costs to the Claimant.

Delivered, dated and signed in Nakuru on this 13th day of October 2017.

Radido Stephen

Judge

Appearances

For Claimant Ms. Cheruto instructed by Ndeda & Associates

For Respondent Mr. Momanyi instructed by Jackson Omwenga & Co. Advocates

Court Assistants Nixon/Martin