

REPUBLIC OF KENYA

EMPLOYMENT AND LABOUR RELATIONS COURT

AT NAIROBI

CAUSE NO. 1903 OF 2015

BENSON WEBUYE MAKANA.....CLAIMANT/RESPONDENT

VERSUS

TANDU ALARM SYSTEMS LIMITED.....RESPONDENT/APPLICANT

Otala for claimant/respondent

Lalu for respondent/applicant

RULING

1. Application dated 15th September 2016 seeks *inter alia* review of the judgment/decree by Hon. Justice Nzioki Wa Makau delivered by Hon. Justice Nduma on 5th August 2016.

2. The Hon. Justice Nzioki Wa Makau has been out of the country on study leave but has since come back. In terms of Rule 33 (2) of the Employment and Labour Relations Court (Procedure) Rules

“An application for review of a decree or order of the court under subparagraphs (b) (c) or (d) shall be made to the Judge who passed the decree or made the order sought to be reviewed or to any other Judge if that Judge is not attached to the court station.”

3. Accordingly, in view of the fact that Hon. Justice Nzioki Wa Makau is now attached to Nairobi, ELRC Station this file is transmitted to him to prepare a ruling on the application for review and deliver the ruling on notice to the parties.

Dated, Signed and Delivered on this 10th Day of November 2017

MATHEWS NDERI NDUMA

JUDGE