



**REPUBLIC OF KENYA**

**IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI**

**CAUSE NO. 2173 OF 2012**

**KABII DANIEL**

**MUNGAI.....CLAIMANT**

**V**

**KENYA MEDICAL PRACTITIONERS PHARMACISTS & DENTISTS  
UNION.....RESPONDENT**

**RULING**

1. The Claimant commenced legal proceedings against the Respondent on 26 October 2012 seeking an order dissolving the National Executive Council of the Respondent.
2. The Memorandum of Claim was accompanied with a Notice of Motion which was withdrawn on 6 November 2012, when another motion was filed.
3. There is nothing on the record to suggest that the Claimant has taken steps to prosecute the Cause since it was last in Court on 16 January 2013.
4. As a way to deal with the backlog in the Court's Nairobi registry, the Deputy Registrar notified the public through online and newspaper notices of a service week running from 18 April 2016 to 22 April 2016.
5. Specific hearing notices were also sent to the litigants and or their Advocates.
6. When this Cause was called out for hearing, there was no appearance/representation for the parties.
7. The Court therefore orders that this Cause be dismissed for non-attendance and non-prosecution as no steps have been taken for over 4 years.

**Delivered, dated and signed in Nairobi this 21<sup>st</sup> day of April 2016.**

**Radido Stephen**

**Judge**

Court Assistant Nixon