

REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
CAUSE NO. 418 OF 2012

ANN WANJIKU MWANGI

CLAIMANT

v

INVESCO ASSURANCE CO. LTD

RESPONDENT

RULING

1. The Claimant commenced legal proceedings against the Respondents on 11 March 2012 alleging unlawful termination of employment.
2. The Respondent filed a Notice of Preliminary Objection on 5 October 2012 contending that the suit was statute barred in terms of section 90 of the Employment Act, 2007.
3. The objection was not prosecuted.
4. There is nothing on the record to suggest that the Claimant has taken steps to prosecute the Cause since 22 October 2012.
5. 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.
6. Specific hearing notices were also sent to the litigants and or their Advocates.
7. When this Cause was called out for hearing, there was no appearance/representation for the Claimant. Ms. Munene appeared for the Respondent and informed the Court of the objection.
8. The Court 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 20th day of April 2016.

Radido Stephen

Judge

Court Assistant

Nixon