



**REPUBLIC OF KENYA**

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

**CAUSE NO. 485 OF 2011**

**EDWARD KIARIE NDEGWA.....1<sup>ST</sup> CLAIMANT**

**GEOFFREY GITHIA GICHIRA.....2<sup>ND</sup> CLAIMANT**

**v**

**REGISTRAR OF TRADE UNIONS.....1<sup>ST</sup> RESPONDENT**

**KENYA NATIONAL UNION OF TEACHERS..... 2<sup>ND</sup> RESPONDENT**

**RULING**

1. The Claimants commenced legal proceedings against the Respondents on 31 March 2011 alleging rigging of the 2<sup>nd</sup> Respondents Muranga North branch elections on 26 February 2011. The Claim was accompanied with a motion under urgency.
2. The 2<sup>nd</sup> Respondent filed Grounds of Opposition and a Response on 8 April 2011.
3. There is nothing on the record to suggest that the Claimants have taken any steps to have the Cause prosecuted from 23 March 2012 when the Cause was adjourned for non-attendance.
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 5 years.

**Delivered, dated and signed in Nairobi this 20<sup>th</sup> day of April 2016.**

**Radido Stephen**

**Judge**

Court Assistant Nixon