



**REPUBLIC OF KENYA**

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

**CAUSE NO. 560 OF 2011**

**EDWIN LUGOHE MUGALA**

**CLAIMANT**

**v**

**TIGER BRANDS KENYA LTD**

**RESPONDENT**

**RULING**

1. The Claimant commenced legal proceedings against Tiger Brands Kenya Ltd (Respondent) on 12 April 2011 wrongful dismissal and industrial injury.
2. A Response was filed on 13 June 2012.
3. The Cause was last placed before Court on 13 May 2013 when the parties were directed to file and exchange documents.
4. On 4 November 2015, the Claimant wrote to the Court seeking a hearing date and a hearing date of 26 January 2016 was fixed.
5. There is nothing on the record to suggest that the file was placed before Court on the scheduled hearing date.
6. 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.
7. Specific hearing notices were also sent to the litigants and or their Advocates.
8. When this Cause was called out for hearing, there was no appearance/representation for the parties.
9. It is clear that the Claimant has made an attempt to fix the Cause for hearing in the recent past and he should be given another chance.
10. The Court therefore orders that this Cause be placed before the Deputy registrar on 17 May 2016 for directions as to hearing date.
11. The Deputy Registrar should notify the parties advocates on record.

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

**Radido Stephen**

**Judge**

Court Assistant Nixon