

REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
CAUSE NO. 319 OF 2012

FRANKLIN KIMATHI MUCHEKE

CLAIMANT

v

MOGAS KENYA LIMITED

RESPONDENT

RULING

1. The Claimant commenced legal proceedings against the Respondents on 29 February 2012 alleging wrongful and unlawful termination of employment.
2. A Reply to Memorandum of Claim was filed on 3 March 2012.
3. There is nothing on the record to suggest that the Claimant has taken steps to prosecute the Cause since 5 February 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 5 years.

Delivered, dated and signed in Nairobi this 20th day of April 2016.

Radido Stephen

Judge

Court Assistant

Nixon