



**REPUBLIC OF KENYA**

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

**CAUSE NO. 360 OF 2012**

**HENRY KIMATHI MUGUNA .....CLAIMANT**

**V**

**AFRICAN MERCHANT ASSURANCE CO. LTD..... RESPONDENT**

**RULING**

1. The Claimant commenced legal proceedings against the Respondents on 9 March 2012 alleging wrongful/unfair termination of employment.
2. There is nothing on the record to suggest that the Claimant has taken steps to prosecute the Cause since 10 May 2012.
3. 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.
4. Specific hearing notices were also sent to the litigants and or their Advocates.
5. When this Cause was called out for hearing, there was no appearance/representation for the Claimant. The Respondent was represented by Mr. Ouma who applied for the dismissal of the Cause.
6. 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 20<sup>th</sup> day of April 2016.**

**Radido Stephen**

**Judge**

Court Assistant Nixon