

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI

CAUSE NO. 362 OF 2012

ISINYA ROSES LTD

CLAIMANT

v

KENYA PLANTATION & AGRICULTURAL

WORKERS UNION

RESPONDENT

RULING

1. The Claimant commenced legal proceedings against the Respondents on 6 March 2012 seeking to stop a purported illegal strike called by the Respondent.
2. Orders were issued on 14 March 2012 calling off the strike and sending the parties to conciliation before the Commissioner of Labour.
3. There is nothing on the record to suggest that the Claimant has taken steps to prosecute the Cause since 4 April 2012 when the Cause was last in Court (it also appears that this Cause was consolidated with Cause 363 OF 2012, P.J. Dave Flora Ltd v Kenya Plantation & Agricultural Workers Union).
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