



**REPUBLIC OF KENYA**

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

**CAUSE NO. 370 OF 2012**

**JOSEPH W. MUNGAI**

**CLAIMANT**

**v**

**EURAFRICA CONSTRUCTION CO. LTD**

**RESPONDENT**

**RULING**

1. Joseph W. Mungai (Claimant) commenced legal proceedings against Eurafrika Construction Co. Ltd (Respondent) on 7 March 2012 alleging wrongful termination of employment.
2. There is nothing on the record to suggest that the Claimant has taken steps to prosecute the Cause since 30 April 2013.
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 parties.
6. 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