

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI

CAUSE NO. 426 OF 2012

PAULINE ASEYO KIBAYO.....CLAIMANT

v

UKWALA SUPERMARKETS LTD.....RESPONDENT

RULING

1. The Claimant commenced legal proceedings against the Respondent 15 March 2012 alleging unlawful termination of employment.
2. There is nothing on the record to suggest that the Claimant has taken steps to prosecute the Cause since 8 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 its Human Resources Manager, Barrack Maganda.
6. He informed the Court that the pleadings had never been served upon the Respondent and that they only received the hearing notice from the Court.
7. 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 20th day of April 2016.

Radido Stephen

Judge

Court Assistant Nixon