



**REPUBLIC OF KENYA**  
**IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI**  
**CAUSE NO. 557 OF 2011**

**PAUL WANYOIKE NJOROGE** **1<sup>ST</sup> CLAIMANT**

**GEORGE MURAGE KIBIRA** **2<sup>ND</sup> CLAIMANT**

**JAIRUS BUSAKA CHANGERA** **3<sup>RD</sup> CLAIMANT**

**v**

**BOGANI INDUSTRIES LTD** **RESPONDENT**

**RULING**

1. The 3 Claimants commenced legal proceedings against Bogani Industries Ltd (Respondent) on 2 January 2011 unfair termination of employment.
2. A Reply to Claim was filed on 7 July 2011.
3. On 15 November 2012, hearing was adjourned as the Court was informed the Respondent company had been closed down
4. The Cause was last placed before Court on 11 July 2013.
5. There is nothing on the record to suggest that the Claimant has taken any steps to have the Cause prosecuted from 2013.
6. 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.
7. Specific hearing notices were also sent to the litigants and or their Advocates.
8. When this Cause was called out for hearing, there was no appearance/representation for the parties.
9. 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