



**REPUBLIC OF KENYA**

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

**CAUSE NO. 519 OF 2011**

**PETERSEN MWASHIGANDI**

**CLAIMANT**

**v**

**SENIOR BEST GARMENTS KENYA(EPZ) LTD**

**RESPONDENT**

**RULING**

1. Peterson Mwashigandi (Claimant) commenced legal proceedings against (Senior Best Garments Kenya (EPZ) Ltd (Respondent) on 7 April 2011 alleging unlawful termination of employment.
2. There is nothing on the record to suggest that the Claimant served Notice of Summons and the Memorandum of Claim upon the Respondent or that he has taken steps to prosecute the Cause.
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