

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI

CAUSE NO. 496 OF 2011

PHILIP OMWERI RATEMO & 15 OTHERS

CLAIMANT

v

KENYA PLANTATION & AGRICULTURAL

WORKERS UNION

RESPONDENT

RULING

1. The Claimants commenced legal proceedings against Kenya Plantation & Agricultural Workers Union (Respondent) on 4 April 2011 challenging as irregular and unfair elections held by the Respondent's Limuru branch on 9 January 2011
2. The Respondent filed a Response on 15 April 2011.
3. There is nothing on the record to suggest that the Claimants have taken any steps to have the Cause prosecuted from 2011.
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