

REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
CAUSE NO. 483 OF 2011

SIMLAW SEEDS COMPANY LIMITED

CLAIMANT

v

JOB NYORSOK KIBET

RESPONDENT

RULING

1. The Claimant commenced legal proceedings against the Respondent on 30 March 2011 alleging breach of contract.
2. The Respondent filed a Memorandum of Response on 25 October 2012.
3. The Cause was placed before Court on 4 October 2011 when the hearing was fixed for 25 June 2012 but there is no indication why the hearing did not proceed.
4. On 3 September 2012, hearing was fixed for 12 November 2012 but again it is not clear why the hearing did not proceed.
5. There is nothing on the record to suggest that the Claimant has taken any steps to have the Cause prosecuted from 2012.
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 20th day of April 2016.

Radido Stephen

Judge

Court Assistant

Nixon