



REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAKURU

CAUSE NO. 44 OF 2016

RAYMOND KOMEN.....CLAIMANT

v

THE COUNTY GOVERNMENT OF NAKURU...1st RESPONDENT

KINUTHIA MBUGUA.....2nd RESPONDENT

RULING

1. The Court awarded the Claimant Kshs 2,016,428/80 in a judgment delivered on 11 March 2016.

2. On 22 March 2016, the Claimant filed a motion seeking

1.

2. THAT pending the inter partes hearing of this application, the court issues an order nisi restraining the respondent herein from withdrawing monies deposited in the following accounts

Co-operative Bank Account number..... 01141521630800

Kenya Commercial Bank account number..... 1140746057

National Bank account number 010011065283400.

3. THAT upon the inter partes hearing of this application, the court directs that the deposits in any accounts referred to hereinabove be attached to satisfy the judgment issued by this court on 11th March 2016 together with costs and interest.

4.

3. The Court directed the motion to be served and set 1 April 2016 as *inter partes* hearing date.

4. The Respondents did not attend Court on 1 April 2016. On record was an affidavit of service attesting to service of the application upon the firm of Hari Gakinya & Co. Advocates.

5. The Claimant in brief submissions urged the Court to allow the application.

6. The Court has considered the application and order 23 of the Civil Procedure Rules upon which the

application is anchored and is satisfied that order 2 as sought ought to be granted but only upto the tune of Kshs 2,016,428/80.

7. The Court therefore

1. grants order 2 with a directive that an order nisi do issue
2. orders that the instant application and today's orders be served upon the Respondents and garnishees
3. the Respondents/garnishes file any requisite papers before 20 April 2016
4. Further proceedings on 27 April 2016.

8. Costs in the cause.

Delivered, dated and signed in Nakuru on this 8th day of April 2016.

Radido Stephen

Judge

Appearances

For Claimant Mr. Githui instructed by Githui & Co. Advocates

For Respondents Hari Gakinya & Co. Advocates

Court Assistant Nixon