



**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.....1<sup>st</sup> RESPONDENT**

**KINUTHIA MBUGUA.....2<sup>nd</sup> 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 number010011065283400.
3. THAT upon the interpartes 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 11<sup>th</sup> 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 Court granted prayer 2 of the motion on 8 April 2016 and directed that the garnishees file appropriate papers which have been done through replying affidavits.
6. The Court had the parties (including the garnishees) submissions today on prayer 3 of the motion.

7. The Court therefore

- i. grants order 3 of the motion and
- ii. orders that the decretal sum and interest be paid by the 1<sup>st</sup> Garnishee out of the 1<sup>st</sup> Respondent's account no. 01141521630800
- iii. the Claimant's costs of Kshs 200,000/- be paid by the 2<sup>nd</sup> Garnishee out of the 2<sup>nd</sup> Respondent's account no. 1140746057
- iv. the 1<sup>st</sup> Garnishee advocates costs be paid out of the 1<sup>st</sup> Respondent's account with the said garnishee.
- v. The 2<sup>nd</sup> Garnishee advocates costs be paid out of the 1<sup>st</sup> Respondent's account with the said garnishee

8. Costs as ordered above.

**Delivered, dated and signed in Nakuru on this 6<sup>th</sup> day of May 2016.**

**Radido Stephen**

**Judge**

**Appearances**

For Claimant	Mr. Githui instructed by Githui & Co. Advocates
For Respondents	Mr. Katithi instructed by Hari Gakinya & Co. Advocates
For 1 <sup>st</sup> Garnishee	Mr. Kisila Advocate
For 2 <sup>nd</sup> Garnishee	Ms. Ngere Advocate
Court Assistant	Nixon