

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT OF KENYA AT NYERI

CAUSE NO. 92 OF 2016

ELIAS NGICIRI KAGWAINI.....CLAIMANT

VERSUS

BABS SECURITY SERVICES LIMITED..... RESPONDENT

(Before Hon. Justice Byram Ongaya on Friday, 25th November, 2016)

JUDGMENT

The claimant filed the memorandum of claim on 10.05.2016 through Kirubi, Mwangi Ben & Company Advocates. The claimant prayed for judgment against the respondent for:

- a. Payment of terminal dues amounting to Kshs. 49, 135.00 being terminal dues following redundancy on 31.01.2014.
- b. Damages for loss of employment equivalent to 12 months pay at Kshs. 6,640.00 x 12 months making Kshs. 79, 680.00.
- c. Costs of the suit.
- d. Any other or better relief the honourable court may deem fit to grant.

The claimant has computed the terminal dues upon redundancy and as prayed for. The same is hereby allowed. The respondent has not opposed the award of terminal dues as computed. As there was no evidence for unfair termination, 12 months' pay for loss of employment as prayed for is hereby declined.

In conclusion judgment is hereby entered for the claimant against the respondent for:

- a. The respondent to pay the claimant **Kshs. 49, 135.00** by 15.12.2016 failing interest at court rates to be payable thereon from the date of the suit 10.05.2016 till full payment.
- b. The respondent to pay the claimant's costs of the suit.

Signed, dated and delivered in court at **Nyeri** this **Friday, 25th November, 2016.**

BYRAM ONGAYA

JUDGE