



**REPUBLIC OF KENYA**  
**IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAKURU**  
**APPEAL NO. 7 OF 2016**

**(Originally Naivasha High Court Civil Appeal No. 75 of 2016)**

**SAVANNA INTERNATIONAL LIMITED                      APPELLANT**

**v**

**JOEL OMAGWA MOMWANYI                      1<sup>ST</sup> RESPONDENT**

**SAVANNA PLANT KENYA LIMITED                      2<sup>ND</sup> RESPONDENT**

**RULING**

1. The Appellant moved the High Court in Naivasha on 7 November 2016 seeking stay pending appeal.
2. The High Court granted temporary stay of execution pending appeal and at the same time transferred the proceedings to this Court because the cause of action arose within the course of employment.
3. The file was transferred to this Court and on 10 November 2016, the Appellant urged the motion dated 7 November 2016.
4. The documents placed before Court show that auctioneers had moved to attach the Appellant's properties.
5. The Court will in the circumstances grant proposed order 2 of the motion on condition that the decretal sum of Kshs 92,114/58 and Kshs 63,435/- being auctioneers fee as exhibited in the fee note are deposited into Court on or before 18 November 2016.
6. If any properties have been proclaimed/attached, the same should be released on deposit of the decretal sum and auctioneers fee into Court.
7. The motion to be served for *inter partes* hearing on 22 November 2016.
8. Costs in the cause.

**Delivered, dated and signed in Nakuru on this 11<sup>th</sup> day of November 2016.**

**Radido Stephen**

**Judge**

**Appearances**

For Appellant	Ms. Nasimiyu instructed by Mukite Musangi & Co. Advocates
For Respondent	not yet served
Court Assistants	Nixon/Daisy