



**REPUBLIC OF KENYA**  
**IN THE INDUSTRIAL COURT AT MOMBASA**  
**CAUSE NO. 257 OF 2014**

**BETWEEN**

1. PAUL ODERA OKECH
2. ALI SULEIMAN MWAKULONDA
3. HASSAN MDUDU ..... CLAIMANTS

**VERSUS**

STEEL MAKERS LIMITED ..... RESPONDENT

*Rika J.*

*Court Assistant: Benjamin Kombe*

*Mr. Anaya holding brief for Mr. Asewe Advocate instructed by Otieno Asewe & Company Advocates for the Claimant*

*Mr. Alwenya advocate instructed by M.L. Alwenya & Company Advocates for the Respondent*

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**ISSUES IN DISPUTE: UNFAIR AND UNLAWFUL TERMINATION**

**AWARD**

1. The Claimant filed his Statement of Claim on 19th June 2014. The Respondent filed its Statement of Response on 6th October 2014.
2. On 13th February 2015, the Advocates for the respective Parties informed the Court they have reached settlement in the following terms:-
  1. Judgment for the Claimants against the Respondent.
  2. Paul Odera Oketch be paid balance of notice of Ksh.9,200, underpaid gratuity of Kshs.16,334; salary arrears of Kshs.24,332 – total Kshs.49,866.

3. Ali Suleiman Mwakulonda be paid balance of notice Kshs.9,749; underpaid gratuity Kshs.16,334; salary arrears of Kshs.24,332 – total Kshs.50,415.50.
4. Hassan Mdudu be paid balance of notice pay at Kshs.12,880.50; underpaid gratuity Kshs.19,990; salary arrears Kshs.33,077 – total Kshs.65,336.50.
5. Costs of Kshs.25,000 to the Claimants.
6. Total decretal sum is Kshs.190,516, payable within 30 days of today's date.

3. The Court is satisfied the above proposed terms of settlement are fair, adequate, regular and made in accordance with the Law. IT IS ORDERED:-

(a) *Award is entered on the terms above.*

**Dated and delivered at Mombasa this 13th day of February 2015.**

**James Rika**

**Judge**