



REPUBLIC OF KENYA
IN THE INDUSTRIAL COURT AT MOMBASA
CAUSE NUMBER 154 OF 2013

BETWEEN

KENYA ENGINEERING WORKERS UNION.....CLAIMANT

VERSUS

DEVKI STEEL MILLS LIMITED.....RESPONDENT

Rika J

Court Assistant: Benjamin Kombe

Mr. Omolo Industrial Relations Officer for the Claimant

Mr. Matheka Advocate instructed by Maira & Ndegwa Advocates for the Respondent

RULING

The Court made an Award on 9th December 2014. It was ordered the Respondent, pays its Employees about Kshs. 3 million in terminal dues.

The Respondent filed a Notice of Appeal dated 18th March 2015, which was followed with an application for stay of execution of the Award, pending appeal.

Parties agreed to have the application considered and disposed of through written submissions.

Upon reading the application, affidavits and submissions;

And Upon hearing the Parties' highlights on their respective position, the Court orders:-

- 1. Conditional stay of execution pending appeal is allowed.***
- 2. The Claimant Union and the Law Firm of Maira & Ndegwa Advocates shall open a joint interest earning account within 7 days of this ruling.***
- 3. The Respondent shall deposit the sum of Kshs. 3 million thereat, within the given 7 days, as the security for the grant of stay of execution.***

4. ***In default, the order shall be deemed to automatically lapse, and the Claimant shall be at liberty to execute.***

5. ***No order on the costs.***

Dated and delivered at Mombasa this 27th day of July 2015.

James Rika

Judge