



**REPUBLIC OF KENYA**  
**IN THE INDUSTRIAL COURT AT MOMBASA**  
**CAUSE NO. 433 OF 2013**

**BETWEEN**

**DAVID ODERO ORWA..... CLAIMANT**

**VERSUS**

**STILL MAKERS LIMITED..... RESPONDENT**

*Rika J.*

*Court Assistant: Benjamin Kombe*

*Mr. Asewe Advocate instructed by Otieno Asewe & Co. Advocates for the Claimant*

*Mr. Alwenya Advocate instructed by M.L. Alwenya & Co. Advocates for the Respondent*

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

**AWARD**

[Rule 27[1][a] of the Industrial Court [Procedure] Rules 2010]

1. The Claimant filed his Statement of Claim on 5<sup>th</sup> December, 2013.
2. The Respondent filed its Statement of Response on 16<sup>th</sup> April 2014.
3. On 23<sup>rd</sup> September, 2015 the Parties informed the Court they have settled the dispute on the following terms:-

Judgment for the Claimant against the Respondent for

- a. One month salary in lieu of notice Kshs. 18,226/=.
- b. Severance pay for 8 years at Kshs. 72,904/=.
- c. Annual leave pay for 2 years at Kshs. 36,452/=.
- d. Costs of the Suit to Claimant, Kshs. 30,000/=.

Total Kshs. 157,582/=.

- e. Payment be done within 30 days of today.
- f. In default Claimant be at liberty to execute.

4. The Court is satisfied the proposed terms of settlement are fair, adequate, regular and made in accordance with the Law.

IT IS ORDERED:-

- a. ***Award is entered in terms of the Parties' proposal above.***

Dated and delivered at Mombasa this 23<sup>rd</sup> day of September 2015.

James Rika

Judge