



**REPUBLIC OF KENYA**  
**IN THE EMPLOYMENT & LABOUR RELATIONS COURT**

**AT MOMBASA**

**CAUSE NUMBER 34 OF 2015**

**BETWEEN**

**SAMMY KUMBU STANLEY.....CLAIMANT**

**VERSUS**

**HAMZA AHMED ESMAIL T/A CRYSTAL MAJI BOREHOLES.....RESPONDENT**

*Rika J*

*Court Assistant: Benjamin Kombe*

*Ms. Mwainzi Advocate holding brief for Mr. Oddiaga Advocate, instructed by Stephen Oddiaga & Company Advocates for the Claimant*

*Mr. Asewe Advocate holding brief for E.W. Munyari Advocate, instructed by E.W. Munyari & Company 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 29<sup>th</sup> January 2015.
2. The Respondent filed its Statement of Response on 2<sup>nd</sup> April 2015.
3. The dispute came up for mention on 1/9/2015. The Parties' Advocates informed the Court that the Parties have agreed out of Court, and asked the Court to record settlement, in the following terms:-

***a) Claim is marked as withdrawn.***

***b) No order on the costs.***

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 1<sup>st</sup> day of September, 2015

James Rika

Judge