



**REPUBLIC OF KENYA**  
**IN THE EMPLOYMENT & LABOUR RELATIONS COURT**  
**AT MOMBASA**  
**CAUSE NO. 401 OF 2015**

**BETWEEN**

**WAFULA WEKESA..... CLAIMANT**

**VERSUS**

**AGA KHAN EDUCATION SERVICE, KENYA..... RESPONDENT**

*Rika J.*

**Court Assistant: Benjamin Kombe**

*Mrs. Mohamed holding brief for Mrs. Ngige Advocate instructed by Mwangi Njenga & Company  
Advocates for the Claimant*

*Mr. Asige Advocate instructed by Anjarwalla & Khanna 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 17<sup>th</sup> June 2015.
2. The Respondent filed its Statement of Response on 8<sup>th</sup> July, 2015.
3. On 18<sup>th</sup> December, 2015 the Parties informed the Court they have settled the dispute on the following terms:-
  - a) Judgment for the Claimant for Kshs. 528,558.69 all inclusive, payable within 7 days.
  - b) In default, Claimant is 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 18<sup>th</sup> day of December, 2015.

James Rika

Judge