



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

**AT MOMBASA**

**CAUSE NUMBER 422 OF 2015**

**BETWEEN**

**SIMION NGOSOSEI.....CLAIMANT**

**VERSUS**

**P.N. MASHRU LIMITED..... RESPONDENT**

*Rika J*

*Court Assistant: Benjamin Kombe*

*Ms. Tole Advocate holding brief for Mr. Asewe Advocate, instructed by M/s Otieno Asewe & Company  
Advocates for the Claimant*

*Mr. Tindi Advocate holding brief for Mr. Wafula Advocate, instructed by M/S Cootow & Associates  
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> June 2015.
2. The Respondent filed its Statement of Response on 22<sup>nd</sup> July 2015.
3. The dispute came up for mention on 1/12/2015. 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***a) Claim is marked as withdrawn with costs to the Respondent.***

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 December, 2015

James Rika

Judge