

REPUBLIC OF KENYA
IN THE INDUSTRIAL COURT OF KENYA
AT NAIROBI

MISC. APPLICATION NO. 51 OF 2013

JARED MOGOMERE KOTWA.....CLAIMANT

VERSUS

NEW KENYA CO-OPERATIVE CREAMERIES LIMITED.....RESPONDENT

RULING

The application seeks the extension of time to file a suit out of time. Unfortunately for the Applicant there is no provision under which there can be extension of time. Nothing prevented a filing in 2012 as he was mobile enough to visit hospital.

On the strength of **Divecon v. Samani [1995 – 1998] EA 48** this Court is devoid of any jurisdiction to entertain the claim. The application is dismissed with no order as to costs.

Orders accordingly.

Dated and Delivered at Nairobi this 27th day of March 2014

NZIOKI WA MAKAU

JUDGE