



**REPUBLIC OF KENYA**

**IN THE INDUSTRIAL COURT OF KENYA AT NAKURU**

**CAUSE NO. 276 OF 2013**

**VINCENT ONG'ARIA PAMBA.....CLAIMANT**

**- VERSUS -**

**MODERN SECURITY HOLDINGS LTD.....RESPONDENT**

(Before Hon. Justice Byram Ongaya on Friday 9<sup>th</sup> May, 2014)

**JUDGMENT**

The claimant **Vincent Ong'aria Pamba** filed the statement of claim on 25.08.2013 in person. The claimant prayed for judgment against the respondent for:

- a. **Kshs.9,000.00 being 2 months' salary in lieu of termination notice.**
- b. **Kshs.4,500.00 being April, 2010 salary.**
- c. **Refund of Kshs.600.00 being refund of Sacco contributions.**
- d. **Costs and interest of the suit.**

Despite service, the respondent did not enter appearance or file a defence.

The court has considered the pleadings, the evidence and the submissions. The only issue for determination is whether the claimant is entitled to the remedies as prayed for.

The claimant did not by evidence establish the employment relationship or the circumstances of his termination. No evidence was placed before the court to establish the claims. In the circumstances, the court finds that the claimant has failed, on a balance of probability, to establish the claims and prayers as made.

In conclusion, the claimant's suit is dismissed with no orders on costs.

**Signed, dated and delivered in court at Nakuru this Friday 9<sup>th</sup> May, 2014.**

**BYRAM ONGAYA**

**JUDGE**