

iii. *Cost of this suit*

iv. *Interest in (i) and (ii) above*

v. *Any other relief as the Court may deem just.*

The issues for determination are therefore as follows;

1. Was the termination of the employment of the claimant wrongful, unfair and unlawful?
2. Is the claimant entitled to the relief sought?
3. Who bears the costs of this claim?

The 1st issue for determination is whether the determination of the employment of the claimant was wrongful, unfair and unlawful. It was.

From the onset, one notes that the matter is not defended and therefore one does not come to hear the other side. The claimant brings out a case for termination but does not adduce a letter of termination or any evidence of payment as salary. I therefore, in the absence of any other contrary data and or evidence surmise a case for unlawful termination and find as such.

The 2nd issue for determination is whether the claimant is entitled to the relief sought. He is. I award relief as follows;

(i) One month's pay in lieu of notice (2,317x4)	Ksh.9,268.00
(ii) Service pay (9,268/30x15x9)	Ksh.40,626.00
(iii) Six (6) months compensation for unlawful termination of employment – Ksh.9,268x6	Ksh.55,608.00
TOTAL:	<u>Kshs.105,502.00</u>

(iv) The costs of this claim shall be borne by the respondent.

Delivered, dated and signed this 30th day of September, 2014.

D.K. Njagi Marete

JUDGE

Appearances

1. Claimant in person.
2. No appearance for the Respondents.