



**REPUBLIC OF KENYA**

**IN THE INDUSTRIAL COURT AT MOMBASA**

**CAUSE NO. 12 OF 2014**

**BETWEEN**

**JOHN BARASA WASIKE ..... CLAIMANT**

**VERSUS**

**LINDA SECURITY COMPANY LIMITED ..... RESPONDENT**

*Rika J.*

*Court Assistant: Benjamin Kombe*

*John Barasa Wasike Claimant in Person*

*Mr. Francis Gathundia for the Respondent*

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**RULING**

Mr. Francis Gathundia, claiming to be a 'Partner' in the Respondent company, filed an Application dated 4th August 2014, asking the Court to review, vary and set aside the judgment of the Court given on 18th July 2014.

The Application is based on Mr. Gathundia's affidavit sworn on 30th July 2014.

He conceded during the hearing that the Company was represented at the hearing of the main dispute by its Operations Manager Mr. Ali Said. The Court record is clear the Respondent was aware of the proceedings, participated in the proceedings in full, and the Application by Mr. Gathundia is dilatory. IT IS ORDERED:-

- (a) The Application dated 30th July 2014 is rejected.
- (b) The Claimant may proceed to execute.

Dated and delivered at Mombasa this 27th day of October 2014.

**James Rika**

**Judge**