



REPUBLIC OF KENYA

Industrial Court of Kenya

Cause 1548 of 2010

LAKE VICTORIA NORTH WATER SERVICES BOARD.....OBJECTOR/APPLICANT

VERSUS

FRANCIS SHIRE CHACHICLAIMANT

AND

AMATSI WATER COMPANY.....RESPONDENT

RULING

The Lake Victoria North Water Services Board, an objector in the proceedings for execution, filed an application to stay execution the orders made by this Court on 8th February 2013. The application is dated 22nd February 2013. The orders subject matter of the intended appeal rejected the objection.

The Claimant filed a replying affidavit sworn on 26th February 2013.

Advocates agreed to have the application disposed of by way of written submissions, which have been placed on record.

The matter came *ex parte*, under certificate of urgency before this Court on 11th March 2013. The Court made the following orders:-

1. The objector to deposit the entire amount awarded to the Claimant in Court within 7 days.
2. In default execution to proceed.
3. Claimant may file and serve a replying affidavit within 7 days.
4. Hearing interpartes on 25th March 2013.

There is no evidence that the Objector has deposited any money in Court. The Claimant has not proceeded with execution.

The Court has carefully weighed the submissions of the parties, their respective rights and obligations, right from the inception of the claim to the intended appeal, and grants the following Orders:-

1. The Objector is once again ordered to deposit the entire amount awarded to the Claimant in Court within 7 days of this Ruling.

2. Stay of Execution of the Orders given on 8th February 2013 is allowed upon the deposit of the entire amount awarded to the Claimant in Court.

3. In default of Order I, the Claimant is at liberty to execute.

Dated and delivered at Nairobi this 3rd day of May 2013

James Rika
Judge