



**REPUBLIC OF KENYA**

**Industrial Court of Kenya**

**Cause 744 of 2011**

**MWINGI MITIKA ..... CLAIMANT/APPLICANT**

**VERSUS**

**INTER SECURITY SERVICES LTD.....RESPONDENT**

(Before Hon. Justice Byram Ongaya on 22<sup>nd</sup> October, 2012)

**JUDGMENT**

The Claimant Mwingi Mitika filed the Memorandum of Claim on 16<sup>th</sup> March, 2011 through E.K. Mutua & Company Advocates. The Claimant is praying for judgment against the Respondent for Ksh.63, 756.00 being untaken leave pay for 11 years worked, costs of the Cause and interest.

The Respondent has not filed a response to the memorandum of claim. On 25<sup>th</sup> April, 2012 the court ordered the parties to file written submissions. The Claimant filed written submissions on 2<sup>nd</sup> May, 2012 and the Respondent did not comply with the court order.

The claimant filed an amended memorandum of claim dated 10<sup>th</sup> October, 2011, praying for Ksh.136,679/= for terminal benefits.

The court has taken into account the pleadings and documents filed for the claimant together with Counsel's written submissions. The Respondent has not opposed the claim.

Accordingly, judgment is entered for the claimant against the Respondent for:

- (a) payment of terminal dues of Ksh.136,679 plus interest at court rates from the date of this judgment till full payment;
- (b) payment of costs of the cause.

Signed, dated and delivered this 22<sup>nd</sup> day of October, 2012 in the absence of both parties.

**BYRAM ONGAYA  
JUDGE**