

***Application No. 13 of 2022 (Arising from Reference No. 52 of 2021) Humphrey Makori Nyagoe V. Attorney General of the Republic of Kenya.***

**Coming up for hearing:** on 20<sup>th</sup> March, 2023  
**Application filed:** on 25<sup>th</sup> May, 2022.  
**Articles:** 39 of the Treaty for the Establishment of the East Africa Community  
**Rules:** 4, 32 (1), 47 of the East African Court of Justice Rules of Procedure, 2019.  
**Subject matter:** Application for orders compelling Respondent to act

The Application is based on grounds that the Respondent herein has neither lodged the records of appeal in the Court of Appeal nor obtained stay of execution of the judgement rendered by the Hon. Lady Justice Maureen Onyango on the 12<sup>th</sup> November in **ELRC Petition No. 82 of 2019** from the Court of Appeal.

That therefore there is no legal basis as to why the Deputy Registrar of the Employment and Labour Relations Court refused to list for Taxation and Tax Applicants bill of costs on record on the 10<sup>th</sup> may 2022 as was earlier scheduled.

The Applicant further stated that the Respondent herein has curtailed and/or continues to subvert the Provisions of Articles 6(d) and 7(2) of the East African Treaty by deliberately refusing to Honor, obey and satisfy the judgement rendered by the Hon. Lady Justice Maureen Odera on the 12<sup>TH</sup> November 2021 in **NAIROBI ELRC PETITION NO. 82 of 2019** to the detriment of the Claimant/Applicant herein and that further grounds were all stated in the affidavit of the Applicant annexed with the application.

The Applicant Humphrey Makori Nyagoe seeks orders to be issued forthwith compelling the Deputy Registrar of the Employment and Labour Relations Court at Nairobi to Tax the Applicant's bill of cost as filed in Nairobi **ELRC. PETITION NO 822 of 2019** and immediately thereafter to allow and issue Executions proceedings against the Kenya Airports Authority and the Respondent herein.

The Applicant finally, seeks orders that this application be certified for urgent hearing and the same be heard electronically via video conference forthwith in the first instance and on priority to any other matter in this reference.

*This is a document produced by the Registry to assist in understanding forthcoming matters before the Court. It does not bind the Court. For authoritative Decisions, Judgments and general information about the Court please visit <https://www.eacj.org>*

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