

REPUBLIC OF KENYA
IN THE INDUSTRIAL COURT OF KENYA AT NAIROBI
APPLICATION NO. 421(N) OF 2009

KENYA AVIATION & ALLIED WORKERS UNION.....RESPONDENT

VS

KENYA AIRWAYS LIMITED.....APPLICANT/CLAIMANT

(BEFORE: The Hon. Justice Paul K. Kosgei, S. Luyali & C. M. Mulupi, Members)

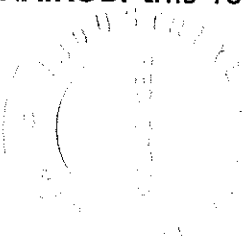
ORDER

UPON READING the Notice of Motion dated 7th August 2009, the supporting affidavit sworn by Sophie Njagi on 7th August 2009 and the annexures thereto and UPON HEARING counsel for the claimants, we are persuaded that the claimant has established a prima facie case that is likely to succeed during the full trial of the suit. In the circumstances IT IS HEREBY ORDERED as follows:-

1. THAT, this application is hereby certified as urgent.
2. THAT the application be served on the respondent forthwith.
3. THAT the respondent is hereby directed to file its replying affidavit and memorandum of defence on or before 13th August 2009.
4. THAT the respondent, its members, agents and or servants or any other of employee of the claimant/applicant are hereby prohibited from participating in a strike scheduled to commence on 12th August 2009 or any other day thereafter until the hearing of this application inter partes.
5. THAT this application will be heard inter partes on 17th August 2009 at 9.00 a.m.

GIVEN UNDER the seal of this Court on 10th August 2009

ISSUED at NAIROBI this 10th day of August 2009.




REGISTRAR
INDUSTRIAL COURT