

Christine Mugenyu

Senior Associate



Christine Mugenyu is a Senior Associate in our Dispute Resolution and Employment Law practice areas.

About Christine

Christine began her career as a volunteer at Kituo cha Sheria in 2015. In 2017, she joined in law firm in Kenya as a Legal Trainee and was appointed as an Associate in 2018. She joined Kieti Advocates LLP in 2020. Christine was promoted to Senior Associate in April 2022.

Credentials

Education

- LLB (Second Class Upper Honours), University of Nairobi
- Certified Secretary (CS) (Part I-III)
- International Chamber of Commerce (ICC) Certified Tribunal Secretary (2021)
- Certified Professional Mediator CPM (MTI) (2021)

Memberships

- Law Society of Kenya
- Young Members Group (YMG), CIArb Kenya

Experience

- Legal advice

Assisting in successfully acting for Uchumi Supermarkets in applying for the approval of the Company's Voluntary Arrangement (CVA) to the High Court of Kenya. The first application of its kind to be made in Kenya under the Insolvency Act, 2015.

Contact Christine

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Expertise

Dispute Resolution

Employment Law

Business Rescue, Restructuring & Insolvency

Location

Nairobi

Language

English

Swahili

- Legal advice

Involved in acting for Hoggers Limited (a company in administration) by advising the company on the administration process, options available at the end of the administration and also filing the appropriate applications before the High Court of Kenya.

- Legal advice

Successfully defending a senior employee against contempt proceedings filed in an ongoing employment dispute before the Employment and Labour Relations Court.

- Legal advice

Advising a local investigative and in-depth journalism production house on a defamation claim.

- Legal advice

Defending a local company in arbitration proceedings for a claim of approximately KES 1 Million.

- Legal advice

Successfully acting for various local companies in debt recovery claims.

- Legal advice

Involved in the successful negotiation of numerous out of court settlements resulting in the resolution of court cases.

- Legal advice

Successfully defending leading banking institutions in opposing applications for injunctions seeking to interfere with the exercise of the right to statutory power of sale.

- Legal advice

Advising various private and multinational companies on employment law matters relating to work injury claims, wrongful dismissal, termination, and redundancies.

- Legal advice

Advising leading insurance companies in prosecuting and defending of negligence claims on behalf of their insured.

News

[Liquidation of Tuskys Supermarket: A case of too little too late](#)

On 31 May 2023, Justice Majanja issued a judgment that marked an end to the restructuring efforts of Tuskys Supermarket after a three-year court battle. It was another classic example of an attempt to restructure a company's debt at the tail end of a distress cycle rather than at the early stages when the chances of recovery are higher.

[How employers in Kenya can successfully manage the redundancy process](#)

Declaration of redundancy is a managerial prerogative driven by business operations and market dynamics. This being a strategic business decision, the courts are reluctant to interfere unless it is sufficiently demonstrated that there was no valid and or justifiable reason for the redundancy.

[How companies may mitigate claims for unfair termination by non-executive directors](#)

What happens when a company does not define the type of engagement of a director? Can a director claim to be an employee of the company? How can companies mitigate against claims from non-executive directors for employee benefits, and protection?

[To liquidate or not to liquidate: Kenyan and South African courts' views on liquidation applications \(Part 1\)](#)

In addition to the Indian Ocean coastline, Kenya and South Africa also share similar insolvency law principles in relation to the liquidation of companies. In a two-part series of articles, we consider the two countries' courts' views in liquidation applications or, as Kenyan lawyers refer to them, "liquidation petitions". In short, there is evidence that Kenyan and South African courts are not so quick to grant liquidation petitions. This first article looks at the Kenyan position.

[The time crunch in challenging an arbitrator's jurisdiction](#)

The High Court has often indulged litigants who failed to comply with the time limits for challenging the jurisdiction of an arbitrator. This has been on the mistaken belief that such indulgence satisfied the ends of justice for a litigant that was not necessarily indolent, but simply late. However, in the recent case of *University of Nairobi v Nyoro Construction Company Ltd and Another KEHC 380 (KLR)*, Hon Justice Majanja held that the Arbitration Act deliberately limited the timeframe in which a litigant could challenge the jurisdiction of an arbitrator to reduce the interference by courts in arbitral proceedings.

Podcasts

[A new normal for redundancy notices? The A-Z of redundancies in light of new jurisprudential guidance from the ELRC](#)

Redundancy is common among employers who seek to restructure their businesses. It is one way of terminating a contract of employment other than through dismissal or retirement.

[Redundancy in Employment Law](#)

Well-versed in Dispute Resolution, Employment Law, and Business Rescue, Restructuring & Insolvency, Christine Mugenyu in our Nairobi office shares her view on successfully managing the redundancy process with Channel Africa.

[Fixed term contracts - What they don't tell you](#)

A fixed term contract is a contract of service for a specified period of time. Despite having a clear end date, the Courts in Kenya have held that there are certain instances that an employee can have a legitimate expectation of the renewal of the contract.

[Understanding the legal weight of appointment letters](#)

Understanding the legal weight of appointment letters is very important to employers. Of even more importance is understanding the legal effect of unilaterally revoking an appointment letter before an employee reports to work.

[A second employer? Understanding the secondment relationship](#)

Secondment refers to any contract that results in the temporary transfer of an employee to another employer or position. In this podcast, Christine Mugenyu and Janette Nyaga analyse the secondment relationship, and particularly the roles of the different employers and the termination of the secondment relationship. This discussion is guided by the recent Court of Appeal Case of *Kenya Methodist University v Kaungania & another (Civil Appeal 61 of 2017)* and the decision by the Employment and Labour Relations Court in Nyeri in *Mary Nyangasi Ratemo & 9 others v Kenya Police Staff Sacco Limited & another eKLR*.

[All news by Christine Mugenyu →](#)