

Steven Kalua v Standard Bank PLC

Summary

Court:	Industrial Relations Court
Bench:	Hon. V. Nyimba, Deputy Chairperson
Cause Number:	IRC 631 of 2021
Date of Judgment:	May 03, 2024
Bar:	Luwa, Counsel for the Applicant Thengolose, Counsel for the Respondent

The Applicant commenced legal action in the Industrial Relations Court, Lilongwe District Registry, for unfair and unlawful dismissal against the Respondent. The Applicant, who was Head of Service Centre, was dismissed following an investigation into fraudulent cheque payments and fund transfers amounting to MK320 million on a customer's account. The investigation found that the Applicant had authorised payments on cheques with forged signatures without proper confirmation and was negligent in supervising his team, which led to chaotic record-keeping. The Respondent argued that the dismissal was fair and that due process was followed.

The Court had to decide whether the dismissal was fair, considering both substantive and procedural justice. The Court found that the Applicant's actions were in clear violation of the Bank's requirements for cash encashment and that he was negligent and reckless in his duties. The Court held that the Respondent had justifiable grounds for the dismissal and followed the required procedure. The Court, therefore, dismissed the matter.