



REPUBLIC OF KENYA



KENYA LAW
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Republic v Registrar of Companies; Waweru (Exparte Applicant) (Judicial Review 26 of 2017) [2024] KEHC 13265 (KLR) (28 October 2024) (Ruling)

Neutral citation: [2024] KEHC 13265 (KLR)

REPUBLIC OF KENYA

IN THE HIGH COURT AT KIAMBU

JUDICIAL REVIEW 26 OF 2017

DO CHEPKWONY, J

OCTOBER 28, 2024

IN THE MATTER OF: AN APPLICATION FOR LEAVE TO COMMENCE PROCEEDINGS IN TH ENATURE OF JUDICIAL REVIEW

AND

IN THR MATTER OF: SECTIONS 8 AND 9 OF THE LAW REFORM ACT (CAP 26) LAWS OF KENYA

AND

IN THE MATTER OF: AN APPLICATION FO RLEAVE TO APPLY FOR ORDERS OF CERTIORARI, MANDAMUS AND PROHIBITION

AND

IN THE MATTER OF: CAP 486 LAWS OF KENYA

AND

IN THE MATTER OF: REGISTRAR OF COMPANIES

AND

IN THE MATTER OF: CHIEF MAGISTRATE'S COURT, CRIMINAL CASE NO.2033 OF 2011 AT THIKA

AND

IN THE MATTER OF: REGISTRATION OF DIRECTORS OF GITHUNGURI CONSTITUENCY RANCHING COMPANY

AND

IN THE MATTER OF: ARTICLES 22(1), (2)(A)(B) (C), 23(1), 27(1)(2) OF THE CONSTITUTION OF KENYA, 2010

BETWEEN



REPUBLIC APPLICANT

AND

THE REGISTRAR OF COMPANIES RESPONDENT

AND

JOHN RIMUI WAWERU EXPARTE APPLICANT

RULING

1. This matter is for mention for parties to show cause why the suit should not be dismissed for want of prosecution, a Notice to Show Cause having been issued upon the parties on 23rd October, 2023, 8th February, 2024 and 24th September, 2024 respectively. There is no appearance by either party nor their respective counsel. There is even no representation to explain the absence.
2. I have perused the court record and established that the last time there was any activity on the matter was on 27th November, 2018, when the court directed that the Motion be amended to bring in the necessary parties to the suit such as the Company and Attorney General as Interested Parties.
3. It has been almost six (6) years since these direction issued and nothing has been done. This is a clear indication that the parties lost interest in having the matter prosecuted. To unclog the court's system of this backlog, it is in the interest of justice that the suit be and is hereby dismissed for want of prosecution pursuant to Order 17 Rule 2 of the *Civil Procedure Rules*.

It is so ordered.

RULING DATED AND SIGNED AT KIAMBU THIS 28TH DAY OF OCTOBER , 2024.

D. O. CHEPKWONY

JUDGE

In the presence of:

No appearance for and by either party

Court Assistant – Martin

