



**African Centre for Corrective & Preventive Action & 3 others v Attorney General & 2 others
(Constitutional Petition E037 of 2023) [2024] KEHC 15055 (KLR) (21 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 15055 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
CONSTITUTIONAL PETITION E037 OF 2023
DO CHEPKWONY, J
NOVEMBER 21, 2024**

BETWEEN

**AFRICAN CENTRE FOR CORRECTIVE & PREVENTIVE
ACTION 1ST PETITIONER
ANNE WANGARI KARITI 2ND PETITIONER
NZIVU KAYATWA KIMEU 3RD PETITIONER
ESTHER NYAMBURA KIMANI 4TH PETITIONER**

AND

**ATTORNEY GENERAL 1ST RESPONDENT
CABINET SECRETARY, MINISTRY OF HEALTH 2ND RESPONDENT
KENYA MEDICAL PRACTITIONERS AND DENTIST COUNCIL 3RD
RESPONDENT**

RULING

1. This matter is for mention for parties to show cause why the suit should not be dismissed for want of prosecution, the Notice of Show Cause having been taken out on 29th April, 2024, and extended on 28th May, 2024, 24th June, 2024, 30th September, 2024 and 7th November, 2024.
2. On all these occasions, it is noted that neither party nor their respective counsel attended court in response to this Notice. The Notice to Show Cause was issued after the court observed that there had been no activity on the matter since directions issued on the Notice of Motion application dated 12th July, 2023 on 14th July, 2023. It is also note-worthy that there has been no attendance by the parties and or counsel on any of the days the matter has been fixed for mention since 14th July, 2023.
3. This being the case, it is indication that the Petitioners lost interest in having the suit prosecuted.



4. This court therefore finds it prudent to unclog the system of backlog and proceeds to dismiss the suit for want of prosecution as provided for under Order 17 Rule 2 of the *Civil Procedure Rules*.

It is so ordered.

RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 21ST DAY OF NOVEMBER , 2024.

D. O. CHEPKWONY

JUDGE

In the presence of:

No appearance for and either party

Court Assistant - Martin

