



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT CHUKA**

**CHUKA ELC CASE NO 05 OF 2017**

**FORMERLY MERU ELC CASE NO.05 OF 2015**

**IN THE MATTER OF SECTION 17 OF THE MARRIED WOMEN'S PROPERTY ACT (1882)**

**AND**

**IN THE MATTER OF THE CONSTITUTION (CHAPTER 4 ART 45 (3))**

**AND**

**IN THE MATTER OF SECTION 3 (1) OF THE JUDICATURE ACT CAP 8 OF THE LAWS OF  
KENYA**

**BETWEEN**

**CHARLES NJERU MUNYI.....PLAINTIFF**

**VERSUS**

**MARGARET NDUTA KARANJA.....DEFENDANT**

**RULING**

1. When the parties were to come to court on 28.2.2017 to show cause why this suit should not be dismissed for want of prosecution in terms of order 17 rule 2(1) of the Civil Procedure Rules, they did not turn up.

2. I am satisfied that the apposite notice was properly issued.

3. I find that the parties have failed to show cause why this suit should not be dismissed for want of prosecution in terms of order 17 rule 2 (1) of the Civil Procedure Rules.

The suit, therefore, merits dismissal.

4. The suit is dismissed.

5. It is so ordered.

Delivered in open court at Chuka this 28<sup>th</sup> day of February, 2017 in the presence of:

CA: Ndegwa

Parties - absent

**P.M. NJORGE**

**JUDGE**