

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT CHUKA

CHUKA ELC CASE NO. 07 OF 2017

FORMERLY MERU ELC CASE NO. 35 OF 2015

SUSY CIAMWARI EUSTACE.....PLAINTIFF

VERSUS

KITHINJI NJOKA.....1ST DEFENDANT

MURITH NJOKA.....2ND DEFENDANT

MUTEMBEI NJOKA.....3RD 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 28th day of February, 2017 in the presence of:

CA: Ndegwa

Parties - absent

P.M. NJOROGE

JUDGE