



**REPUBLIC OF KENYA**

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

**CHUKA ELC CASE NO 04 OF 2017**

**FORMERLY MERU ELC CASE NO.37 OF 2015**

**ZAVERA GAKUNDI MWITI.....PLAINTIFF**

**VERSUS**

**DEDAN MUGO MWANGI.....DEFENDANT**

**RULING**

1. Notice was properly issued for parties to come to court on 28.2.2017 to show cause why this suit should not be dismissed in terms of order 17 rule 2 (1) of the Civil Procedure Rules.
2. On 28.2.2017, the defendant, despite service, did not come to court.
3. Mr. Otieno C, holding brief for Gregory Mutuma, for the plaintiff told the court that Mr. Mutuma had lost touch with his client. He indicated that he wanted time to file an application to cease acting for the plaintiff.
4. I find that the parties have not shown cause why this suit should not be dismissed.
5. This suit is dismissed.
6. It is so ordered

Delivered in open court at Chuka this 27<sup>th</sup> day of February, 2017 in the presence of:

CA: Ndegwa

Otieno C h/b Gregory Mutuma for the plaintiff

Defendant Absent

**P.M. NJOROGE**

**JUDGE**