



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU

ELC NO. 23 OF 2011

HALIMA H. GONJOBE.....APPELLANT

VERSUS

HALIMA FARAH ABDI.....1ST RESPONDENT

MOHAMED FARAH ABDI.....2ND RESPONDENT

MOHAMMUD FARAH ABDI.....3RD RESPONDENT

CELTEL (KENYA) LIMITED.....4TH RESPONDENT

RULING

1. This ruling is in respect of the application dated 24th June, 2013 where applicant prays for orders:
 1. That this Honourable Court be pleased to dismiss the Appeal herein for want of prosecution.
 2. That the Costs of this Application and the entire Appeal be borne by the Appellant.
2. The Application is based on the grounds;
 - (1) That it is more than 2 Years from the date the Memorandum of Appeal was filed and served yet the Appellant has failed and/or refused to set the Appeal down for hearing and has refused to take essential steps to ensure the Appeal is heard and determined expeditiously.
 - (2) That the Appellant has gone to a deep slumber and is not bothered with the timely hearing and determination of the Appeal herein.
 - (3) That justice delayed is justice denied.
3. Applicant has also filed a Supporting Affidavit where he has deponed as follows:-
 - (1) That he is an Advocate of the High Court of Kenya and in conduct of this Appeal on behalf of the 1st Respondent and he is duly authorized to swear this Affidavit on his behalf as Counsel who is well seized of the facts therein.
 - (2) That the Appeal herein was filed on 24th February, 2011 vide the Memorandum of Appeal dated 23rd February, 2011.

JUDGE