



**REPUBLIC OF KENYA**

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

**ELC CASE NO. 189 OF 2017**

**FORMERLY MERU ELC CASE NO. 124 OF 2012**

AGNES GACHERI GITARI.....PLAINTIFF

VERSUS

BENSON GITARI APHAXARD.....DEFENDANT

**RULING**

1. When the parties were to come to court on **14.12.2017** 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 14<sup>th</sup> day of December, 2017**

in the presence of:

CA: Ndegwa

Parties not in court

**P.M. NJOROGE**

**JUDGE**