

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

CIVIL SUIT NO 87 OF 2003(OS)

KIRIGIA KIARUNYI.....PLAINTIFF

VERSUS

1. DORIS CIOMBAKA IMATHIU

2. KABURU JAPHET IMATHIU

3. MWITI JAPHET IMATHIU.....DEFENDANTS

RULING

Notice to show cause why the suit should not be dismissed for want of prosecution had been properly issued and the Hon. Justice S. Githinji on 09/07/2015 referred the matter to the DR to be mentioned on 09/09/2015. This matter has now been referred to this Court.

Mr. Mutuma for the Plaintiff has explained to this Court that the Plaintiff has closed his case. He says that there is no delay on his part. He has asked the Court to deem this as enough explanation to the satisfaction of the Court that this suit should not be dismissed.

Mrs. Ntarangwi has told the Court that the Defendant is ready to be heard.

I find that the parties have satisfied this Court that this suit should not be dismissed.

The parties are ordered to have the case listed for hearing at the Registry within 60 days of today.

It is so ordered.

Delivered in open Court at Meru this *29th day of February, 2016* in the presence of:-

CC: Lilian/Daniel

Mutuma for the Plaintiff

Mrs. Ntaragwi for the Defendant

P.M. NJOROGE

JUDGE