

REPUBLIC OF KENYA

High Court at Meru

Environmental & Land Case 145 of 2012

WILLIAM NKANGA NKOROI.....PLAINTIFF

VERSUS

JEREMIAH MUKARIA

JOHN MWINDI.....DEFENDANTS

RULING

This application was filed by way of Notice of Motion on 10th October, 2012.

By consent of the plaintiff and the 2nd defendant the application was set down for hearing on 28th January, 2013. From the records, it seems that the 1st Defendant was never served with this application. I do not know whether he has even been served with the initial proceedings.

As the advocate for the plaintiff did not appear in court for prosecution of his application, despite the hearing date having been fixed by consent, the plaintiff's application dated 10th October, 2012 is hereby dismissed.

Costs will be in the cause..

DATED THIS 28TH DAY OF JANUARY, 2013.

**P. M. NJOROGE
JUDGE**

DELIVERED IN OPEN COURT HIS 28TH DAY OF JANUARY, 2013.

**P. M. NJOROGE
JUDGE**