

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA

AT EMBU

CIVIL CASE NO. 165 OF 2008

NJERU MUKUNDIE & 3 OTHERS.....
.....PLAINTIFFS

VERSUS

THE HON. ATTORNEY GENERAL & 8 OTHERS.....
DEFENDANTS

ELIUD GICHOHI KIAMA.....INTERESTED
PARTY/APPLICANT

R U L I N G

I have perused his file and have found that there is a Notice of Withdrawal of the Interested Party's entire Application dated 6/9/2011. It was filed in court on 27/10/2011.

This Notice was to be served on P.N. Mugo & Co. Advocates and M/s Mutitu Thiongo & Co Advocates The Notice is from the firm of Mugambi Njeru & Co. Advocates.

I am therefore surprised that M/s Muthoni was here on 2/11/2011 prosecuting the application dated 6/9/2011 on behalf of the interested party. It's by God's grace that P.N. Mugo (who was not even served) happened to be in court and gave the court some vital information.

I take exception to that kind of behavior by learned counsel. This application is marked withdrawn as per the withdrawal Notice dated 26/10/2011.

DATED, DELIVERED AND SIGNED AT EMBU THIS 15TH DAY OF NOVEMBER 2011.

H.I. ONG'UDI
JUDGE