

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAKURU
CIVIL CASE NO. 176 OF 2000

CECILIA MURUGI MBUTHI.....PLAINTIFF

VERSUS

NDERITU WAHOME KABIRU.....DEFENDANT

JUDGMENT

In this matter, the Plaintiff's advocate has made four consecutive applications for adjournment saying that he had not been able to serve a hearing notice upon the Land Registrar, Nyandarua. The parties had, way back on 3rd October, 2000 agreed by consent that all the matters in dispute be referred to the said Land Registrar who was to do the boundary determination between L. R. NO.

NYANDARUA/GILGIL/WEST/308 and NYANDARUA/MAWINGO SALIENT/115 and prepare a report. He was supposed to have filed the same within 60 days from 3rd October, 2000. The time was extended to 5/3/2001. Upto date nothing has been done and the Plaintiff's advocate has never explained to the court why he cannot serve the Land Registrar so that he can do the needful.

The Plaintiff and her advocate are not interested in pursuing this matter and the same is dismissed with costs for want of prosecution.

DATED, SIGNED & DELIVERED at Nakuru this 26th day of November, 2004.

DANIEL MUSINGA

AG. JUDGE

26/11/2004