



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**CIVIL SUIT NO. 3098 OF 1985**

**GEORGE M. KIARIE.....PLAINTIFF**  
**VERSUS**  
**GICHURUMACHARIA.....DEFENDANT**

**JUDGEMENT**

This is an application for dismissal of the suit for want of prosecution. The suit was filed in 1985 and since then the plaintiff's advocates have not taken any steps to prosecute the case by setting it down for hearing.

It is 15 years since the suit was filed and I consider such a period as constituting inordinate delay, which would make a fair trial impossible. The application is allowed and the suit is dismissed.

**Delivered and dated this 19th day of July, 2000.**

**KASANGA MULWA**  
**JUDGE**