



Isack & another v Nduto & another (Suing as the Legal Representatives of the Estate of Tabitha Nduto Kago (Deceased)) (Miscellaneous Civil Case E051 of 2024) [2025] KEHC 6159 (KLR) (7 May 2025) (Ruling)

Neutral citation: [2025] KEHC 6159 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
MISCELLANEOUS CIVIL CASE E051 OF 2024
DO CHEPKWONY, J
MAY 7, 2025**

BETWEEN

MOHAMED HASSAN ISACK & ANOTHER APPLICANT

AND

JOY ALICE NJERI NDUATA 1ST RESPONDENT

ALICE NJERI 2ND RESPONDENT

**SUING AS THE LEGAL REPRESENTATIVES OF THE ESTATE OF TABITHA
NDUTA KAGO (DECEASED)**

RULING

1. The matter is for mention for parties to confirm compliance of directions issued on 25th Marc, 2025 in respect of the Notice of Motion application dated 24th March, 2025. However, there is no response filed to the application since it appears the same was not even served upon the Respondents as there is no Affidavit of Service.
2. The Applicant and or counsel have also not attended court or sent representation to explain their absence.
3. In the circumstances, the Notice of Motion application dated 24th March, 2025 be and is hereby dismissed for non attendance pursuant to Order 12 Rule 1 of the Civil Procedure Rules.

It is so ordered.

**RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 7TH DAY OF
MAY , 2025.**

D. O. CHEPKWONY



JUDGE

