



**Njuguna v Gihuhi (Miscellaneous Application E37 of 2020)
[2024] KEHC 8187 (KLR) (14 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 8187 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
MISCELLANEOUS APPLICATION E37 OF 2020
DO CHEPKWONY, J
MAY 14, 2024**

BETWEEN

STEPHEN NJIHIA NJUGUNA APPLICANT

AND

NAOMI WAMBUI GIHUHI RESPONDENT

RULING

1. This matter is for mention for parties to show cause why the suit should not be dismissed for want of prosecution, a Notice to Show Cause having been issued on 26th September, 2023 and 20th December, 2023 respectively. Neither party and or their respective counsel are in attendance. There is even no representation to explain their absence.
2. I have perused the record and established that there has been no activity by the parties and or their respective counsel since 29th January, 2021 when the Plaintiff's counsel fixed a hearing date for the application dated 9th December, 2020 was fixed for hearing on 19th May, 2021. On this day there was no appearance by either party and the matter was adjourned. It was again fixed for mention on 26th September, 2023 but on this day, there was no appearance by the parties again. A Notice to Show Cause was then issued on 18th March, 2024, after it was quite evident that the parties have lost interest in the matter.
3. In the circumstances, since there is no explanation why the parties have not had the application dated 9th December, 2020 prosecuted, the same is dismissed for want of prosecution as provided for under Order 17 Rule 2 of the [Civil Procedure Rules](#).

It is so ordered.

RULING DATED AND SIGNED AT KIAMBU THIS 14TH DAY OF ...MAY 2024.

D. O. CHEPKWONY



JUDGE

In the presence of:

No appearance for and by either parties

Court Assistant - Martin

