



REPUBLIC OF KENYA



**Wanjugu v Kariuki & another (Civil Case 15 of 2020)  
[2024] KEHC 6105 (KLR) (14 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 6105 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIAMBU  
CIVIL CASE 15 OF 2020  
DO CHEPKWONY, J  
MAY 14, 2024**

**BETWEEN**

**EDWARD KAMAU WANJUGU ..... PLAINTIFF**

**AND**

**TABITHA WANJIRU KARIUKI ..... 1<sup>ST</sup> DEFENDANT**

**AMICA SAVINGS & CREDIT CO-OPERATIVE SOCIETY  
LIMITED ..... 2<sup>ND</sup> DEFENDANT**

**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 23<sup>rd</sup> October, 2023 and 2<sup>nd</sup> November, 2023 respectively. Neither party nor their respective have attended court despite the matter having been cause-listed for mention today.
2. I have perused the record and established that there has been no activity on the file since 14<sup>th</sup> October, 2020 when the court directed that the application dated 7<sup>th</sup> October, 2020 be fixed for hearing in the Registry. The same was fixed for hearing at the Registry on 14<sup>th</sup> October, 2020 for 18<sup>th</sup> February, 2021, on which day there was no appearance by either party. On 11<sup>th</sup> April, 2021, the matter was again fixed for mention on 23<sup>rd</sup> October, 2023 but no party attended court.
3. In view of this, it is clear that the parties have lost interest in having the suit prosecuted and there is no explanation for this.
4. In the upshot, the suit be and is hereby dismissed for want of prosecution as per the provision of Order 17 Rule 2 of the *Civil Procedure Rules*.

It is so ordered.

**RULING DATED AND SIGNED AT KIAMBU THIS 14<sup>TH</sup> DAY OF MAY, 2024.**



**D. O. CHEPKWONY**

**JUDGE**

In the presence of:

No appearance for and by either parties

Court Assistant - Martin

