



REPUBLIC OF KENYA



KENYA LAW
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**Wathoni v Thongo & another (Civil Appeal 127 of 2017)
[2024] KEHC 4773 (KLR) (2 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 4773 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
CIVIL APPEAL 127 OF 2017
DO CHEPKWONY, J
MAY 2, 2024**

BETWEEN

JANE WATHONI APPELLANT

AND

PENNINAH NJERI THONGO & ANOTHER RESPONDENT

RULING

1. This matter is for mention for parties to confirm compliance for directions issued on 12/6/2023 and show cause why the same should not be dismissed for want of prosecution, a Notice to Show Cause having been issued on 5/11/2023. However, there is no appearance by either party or their respective counsel despite having been served with the Notice to Show Cause. Directions on this appeal were issued on 12/6/2023, the same having been admitted for hearing on 16/9/2019. Since then, neither party nor their counsel have attended court and complied with the directions issued on 12/6/2023. This is a clear conduct of parties who have lost interest in their case
2. In the circumstances, the appeal is hereby dismissed for want of prosecution as per the provision of Order 35 Rule 2 of the Civil Procedure Rules.

It is so ordered.

RULING DELIVERED, DATED AND SIGNED AT KIAMBU THIS 2nd DAY OF MAY, 2024.

D. O. CHEPKWONY

JUDGE

In the presence of:

No appearance for the Appellant

No appearance for the Respondents



Court Assistant - Martin

