



Njagi v Asuga (Civil Appeal E413 of 2023) [2024] KEHC 8960 (KLR) (4 July 2024) (Judgment)

Neutral citation: [2024] KEHC 8960 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
CIVIL APPEAL E413 OF 2023**

AB MWAMUYE, J

JULY 4, 2024

BETWEEN

PATRICK MUGENDI NJAGI APPELLANT

AND

CHRISTINE KEMBO ASUGA RESPONDENT

JUDGMENT

1. The Appellant filed a Notice of Withdrawal dated 24th May, 2024 by which the Appellant sought to withdraw the Appeal herein with no orders as to costs; on the grounds that the matter was said to have been settled.
2. However, when the matter came up for Mention on 4th June, 2024 Counsel for the Appellant made no reference to the Notice of Withdrawal. On the contrary, she informed the Court that the Record of Appeal had been filed and that the Appellant would require fourteen (14) days to file and serve written submissions.
3. This Court granted the Appellant fourteen days leave to file and serve written submissions as prayed for; with the Respondent having corresponding leave from the date of service. This Court then directed that at the lapse of twenty-eight (28) days from 4th June, 2024 the matter would be reserved for judgment and judgment would be delivered on 4th July, 2024 at 10:30am.
4. Neither party has filed written submissions. It would appear that the parties are no longer keen on this matter, perhaps because the dispute has indeed been settled between them. Consequently, I dismiss this Appeal, and each party shall bear its own costs.

DATED, SIGNED AND DELIVERED VIRTUALLY IN NAIROBI THIS 4TH DAY OF JULY, 2024.

BAHATI MWAMUYE

JUDGE

In the presence of:



N/A for the Appellant

N/A for the Respondent

Ms Achieng, Court Assistant

