



REPUBLIC OF KENYA



Karimi v Xplico Insurance Co Ltd; Wainaina (Interested Party) (Civil Case E008 of 2021) [2024] KEHC 13452 (KLR) (15 October 2024) (Ruling)

Neutral citation: [2024] KEHC 13452 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
CIVIL CASE E008 OF 2021
DO CHEPKWONY, J
OCTOBER 15, 2024**

BETWEEN

GEORGE KARIMI PLAINTIFF

AND

XPLICCO INSURANCE CO LTD DEFENDANT

AND

SIMON WAINAINA INTERESTED PARTY

RULING

1. The 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 taken out on 15th May, 2024 and extended on 23rd September, 2024. Neither party nor their respective advocates are in attendance. There is even no representation to explain their absence.
2. It is worth-noting that the Notice to Show Cause was taken out when it was realised that there had been no activity on the matter since 24th November, 2022. And even after the Notice to Show Cause was taken out, no action has been taken by either party or their respective counsel to demonstrate an interest in having the suit prosecuted. It is clear that the parties have lost interest in having the case prosecuted.
3. And so as to unclog the court's system of backlog, I proceed to dismiss the suit for want of prosecution pursuant to order 17 rule 2 of the [Civil Procedure Rules](#).

It is so ordered.

RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 15TH DAY OF OCTOBER, 2024.



D. O. CHEPKWONY

JUDGE

In the presence of:-

No appearance by and for either party

Court Assistant - Martin

