



REPUBLIC OF KENYA



Njeru v Okeyo (Civil Appeal E137 of 2023) [2024] KEHC 12641 (KLR) (2 October 2024) (Ruling)

Neutral citation: [2024] KEHC 12641 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CIVIL APPEAL E137 OF 2023
MS SHARIFF, J
OCTOBER 2, 2024**

BETWEEN

DAMIAN GITARI NJERU APPELLANT

AND

BENARD OKEYO RESPONDENT

RULING

1. I have considered the oral application made by Ms. Miheso Counsel for the Respondent craving for dismissal of this appeal for want of prosecution and I have perused the court record and I have established that indeed whereas this appeal was admitted for hearing on 11.4.2024 the Appellant has not taken any steps to file a record of appeal to date yet the original file is in the court record. Further he has never attended court in any of the dates set for directions wherefore it is obvious that he has lost interest in this appeal wherefore I hereby dismiss it for want of prosecution with costs to the Respondent assessed at Kshs.25,000.
2. This file is marked as closed.

DELIVERED, DATED AND SIGNED AT KISUMU THIS 2ND DAY OF OCTOBER, 2024.

M. S. SHARIFF

JUDGE

