



REPUBLIC OF KENYA



**Thuo v Ngugi & 3 others (Commercial Case 7 of 2020)
[2024] KEHC 12558 (KLR) (17 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12558 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
COMMERCIAL CASE 7 OF 2020
DO CHEPKWONY, J
OCTOBER 17, 2024**

BETWEEN

MONICA WAITHERA THUO APPLICANT

AND

DANIEL THUO NGUGI 1ST RESPONDENT

FAMILY BANK LIMITED 2ND RESPONDENT

LAND REGISTRAR, THIKA 3RD RESPONDENT

THE HON. ATTORNEY GENERAL 4TH RESPONDENT

RULING

1. This matter is for mention for parties to show cause why the suit should not be withdrawn for want of prosecution, a Notice to Show Cause (NTSC) having been taken out in 24th July, 2023 and 9th July, 2024 respectively. Neither party and or their respective counsel are in attendance. They have even not filed any response to the Notice to Show Cause or sent representation with an explanation.
2. I have perused the record and established that there has been no activity in this matter since 13th May, 2021 when a ruling was delivered by Honourable Justice Meoli in respect of a Notice of Motion application dated 19th March, 2020 by the Applicant herein, which is a period of more than three (3) years.
3. In view of this, it is clear that the parties, and more so, the Applicant lost interest in the matter and the same is clogging this court's system as backlog.
4. This Court thus proceeds to dismiss the suit for want of prosecution under Order 17 Rule 2(1) of the [Civil Procedure Rules](#).

It is so ordered.



RULING DATED AND SIGNED AT KIAMBU THIS 17TH DAY OF OCTOBER , 2024.

D. O. CHEPKWONY

JUDGE

In the presence of:

No appearance by and for either party

Court Assistant - Sanja

