



**Ndungu v Leshego Kenya Limited (Commercial Case 14 of 2023)  
[2024] KEHC 13718 (KLR) (4 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 13718 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIAMBU  
COMMERCIAL CASE 14 OF 2023  
DO CHEPKWONY, J  
NOVEMBER 4, 2024**

**BETWEEN**

**PHILIP MUNYINYI NDUNGI ..... PLAINTIFF**

**AND**

**LESHEGO KENYA LIMITED ..... RESPONDENT**

**RULING**

1. This matter is for mention for parties to show cause why the suit should not be dismissed for want of prosecution, the Notice to Show Cause having been issued on 2<sup>nd</sup> October, 2024. Neither party nor their respective counsel are in attendance. They have not even sent representatives to explain their absence.
2. As pointed out on 2<sup>nd</sup> October, 2024 and the reason for the issuance of the Notice to Show Cause, there has been no activity on the matter since 18<sup>th</sup> July, 2023.
3. There is therefore need to unclog the court's system of backlog and this court proceeds to dismiss the suit for want of prosecution as provided for under Order 17 Rule 2 of the Civil Procedure Rules.

It is so ordered.

**RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 4<sup>TH</sup> DAY OF  
NOVEMBER, 2024.**

**D. O. CHEPKWONY**

**JUDGE**

**In the presence of:-**

No appearance for and by either party

Court Assistant - Martin

