



**Kinyua & another v Chief, Ngewa Location & 2 others (Judicial Review Application E027 of 2023) [2024] KEHC 16846 (KLR) (17 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16846 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIAMBU  
JUDICIAL REVIEW APPLICATION E027 OF 2023  
DO CHEPKWONY, J  
DECEMBER 17, 2024**

**BETWEEN**

**MARGARET MUTHONI KINYUA ..... 1<sup>ST</sup> APPLICANT**

**DAVID GITHINJI KIMANI ..... 2<sup>ND</sup> APPLICANT**

**AND**

**THE CHIEF, NGEWA LOCATION ..... 1<sup>ST</sup> RESPONDENT**

**JANE WAMBUI ..... 2<sup>ND</sup> RESPONDENT**

**THE HON ATTORNEY GENERAL ..... 3<sup>RD</sup> RESPONDENT**

**RULING**

1. This matter is scheduled 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 issued and taken out on 18<sup>th</sup> November, 2024 for service upon the parties and or their counsel. The same was served upon counsel for the Applicant via email on 18<sup>th</sup> November, 2024.
2. However, neither party nor their respective counsel has filed any response to the Notice to Show Cause nor attended court to explain why the Chamber Summons application dated 27<sup>th</sup> November, 2023 has never been prosecuted since it was filed on 6<sup>th</sup> December, 2023.
3. It will be noted that no response was filed and there is no indication that the application was served upon the Respondents. Further, the directions issued on the said application on 6<sup>th</sup> December, 2023 have never been complied with and neither the Applicant have attended court since the filing of the application.



4. In view of the above findings, it is clear that the Applicant and or counsel lost interest in having the application prosecuted. Therefore, to avoid clogging this court's system with backlog, this suit is hereby dismissed 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 17<sup>TH</sup> DAY OF DECEMBER, 2024.**

**D. O. CHEPKWONY**

**JUDGE**

In the presence of:

No appearance by and for either party

Court Assistant - Martin

