



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT SIAYA**

**CIVIL APPEAL NO. 16 OF 2017**

**JOHN OTIENO MBOGA .....APPELLANT**

**VERSUS**

**SUGAR DEVELOPMENT GROUP.....1<sup>ST</sup> RESPONDENT**

**GORDON OMONDI OYUGI .....2<sup>ND</sup> RESPONDENT**

**ERICK ODHIAMBO OKEYA .....3<sup>RD</sup> RESPONDENT**

**JOANES OPIYO .....4<sup>TH</sup> RESPONDENT**

**RULING**

1. The Appellant has not explained to the Court the reasons why no record of appeal has been filed since 2017 and why he has not prosecuted this appeal.
2. Accordingly, the appeal herein is hereby dismissed for want of prosecution with no orders as to costs.
3. Orders accordingly.

**Dated, Signed and Delivered at Siaya this 13<sup>th</sup> day of February, 2019**

**R.E. ABURILI**

**JUDGE**