



**REPUBLIC OF KENYA**

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

**CHUKA ELC CASE NO 36 OF 2017**

**FORMRLY MERU ELC CASE NO.101 OF 2014**

**DARIO MANYANI M'KABORO.....PLAINTIFF**

**VERSUS**

**INTEX CONSTRUCTION COMPANY.....DEFENDANT**

**RULING**

1. When the parties were to come to court on 21.2.2017 to show cause why this suit should not be dismissed for want of prosecution in terms of order 17 rule 2(1) of the Civil Procedure Rules, they did not turn up.

2. I am satisfied that the apposite notice was properly issued.

3. I find that the parties have failed to show cause why this suit should not be dismissed for want of prosecution in terms of order 17 rule 2 (1) of the Civil Procedure Rules.

The suit, therefore, merits dismissal.

4. The suit is dismissed.

5. It is so ordered.

Delivered in open court at Chuka this 21<sup>st</sup> day of February, 2017 in the presence of:

CA: Ndegwa

Parties present

**P.M. NJOROGE**

**JUDGE**