



**REPUBLIC OF KENYA**

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

**CHUKA ELC CASE NO 80 OF 2017**

**FORMERLY MERU ELC CASE NO.29 OF 2013**

**EUSTACE NYAGA R. NGATUNI & STEPHEN IKAGI KANG'ETHE AS TRUSTEES OF  
JESUS TABERNACLE CHURCH CHOGORIA.....PLAINTIFFS**

**VERSUS**

**THE COUNTY GOVERNMENT OF THARAKA NITHI.....1<sup>ST</sup> DEFENDANT**

**THE GOVERNOR THARAKA NITH COUNTY GOVERNMENT.....2<sup>ND</sup> DEFENDANT**

**RULING**

1. When the parties were to come to court on 22.2.2017 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 22<sup>nd</sup> day of February, 2017 in the presence of:

CA: Ndegwa

Parties absent

**P.M. NJOROGE**

**JUDGE**