



**REPUBLIC OF KENYA**

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

**ELC CASE NO. 45 OF 2017**

**FORMERLY MERU ELC 172 OF 2014**

**HARRIET MUTHOMI MUGAMBI.....PLAINTIFF**

**VERSUS**

**GEOFFREY MUGAMBI.....1<sup>ST</sup> DEFENDANT**

**NYAGA M. KARUGUTIRA.....2<sup>ND</sup> DEFENDANT**

**CHARLES KINOTI.....3<sup>RD</sup> DEFENDANT**

**KARIBA KITHINJI.....4<sup>TH</sup> DEFENDANT**

**MUTEMBEI KANAMPIU.....5<sup>TH</sup> DEFENDANT**

**RULING**

1. When the parties were to come to court on 15.2.2017 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 15<sup>th</sup> day of February, 2017 in the absence of:

CA: Ndegwa

Plaintiff – absent

Defendants – absent

**P.M. NJOROGE**

**JUDGE**