

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT CHUKA

CHUKA ELC CASE NO 73 OF 2017

FORMERLY MERU ELC CASE NO. 09 OF 2013

**LAWRENCE MIRITI NJIRU (SUING AS THE ADMINISTRATOR OF THE ESTATE OF
PARTICIO M'THIKA RIARA aka**

PRACTRICIO NJIRU.....PLAINTIFF

VERSUS

BENSON KAARIA M'RIARA.....1ST DEFENDANT

NYAGA STEPHEN MUINDI.....2ND DEFENDANT

NOLASCO NDIGA ZAKAYO.....3RD DEFENDANT

KABURU BENGI.....4TH 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 22nd day of February, 2017 in the presence of:

CA: Ndegwa

Parties absent

P.M. NJOROGE

JUDGE