

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
CIVIL SUIT NO. 273 OF 1994 (OS)

M'NJUKI VICTRIO alias MURITHI VICTORIO.....PLAINTIFF

VERSUS

FRANCIS M'NANUA.....1ST DEFENDANT

JOSPHAT KARANI MBUI.....2ND DEFENDANT

R U L I N G

In this matter notice to show cause why the suit should not be dismissed was properly issued. Cause was to be shown on 3.4.2013. On that day, the plaintiff's advocate sought to have time to contact the plaintiff who she said was interested in pursuing his case.

I do note that the last time this matter was in court was on 3.11.2009. Order 17 rule 2(1) stipulates that in any suit in which no application has been made or step taken by either party for one year, the court may give notice in writing to the parties to show cause why the suit should not be dismissed, and if cause is not shown to its satisfaction, may dismiss the suit.

No cause has been shown to the court's satisfaction that the suit should not be dismissed. In the circumstances, the suit deserves to be dismissed.

The suit is dismissed. It is so ordered.

Delivered in Open Court at Meru this 3rd day of April 2014 in the presence of :

Cc. Daniel/Christine

Miss Koome for the plaintiff

P. M. NJOROGE

JUDGE