

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ELC. CASE NO. 78 OF 2007

BEVERLIN ONGOCHE..... PLAINTIFF

VERSUS

PETER THUKU..... 1ST DEFENDANT

CITY COUNCIL OF NAIROBI.....2ND DEFENDANT

RULING

Upon perusal of the proceedings of this matter, I have discovered that, this suit was dismissed for want of prosecution by Judge Nyamweya on 25/11/2011. No appeal or review of this decision was undertaken.

Accordingly, this court should not have entertained the application dated 13/6/12. The court, therefore abides by Judge Nyamweya's decision dismissing this suit.

SIGNED AND DELIVERED AT NAIROBI

ON THE 5TH DAY OF JULY 2013.

MARY M. GITUMBI

JUDGE