

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC CASE NO. 200 OF 2017

FORMERLY MERU ELC. 309 OF 2013

DANSTAN MIRITI KAMUNOI.....PLAINTIFF

VERSUS

HERODIAN M'ITII M'MUKETHA.....DEFENDANT

RULING

1. The parties were to come to court on **17.1.2018** to show cause why the suit should not be dismissed for want of prosecution in terms of **Order 17 rule 2(1) of the Civil Procedure Rules**.
2. Miss Kiome, representing the plaintiff, told the court that the 1st defendant died on 23.4.2014 and that the defendant's children and the plaintiff had intimated that they were exploring a mutual settlement. She also opined that there was a possibility that the matter had been settled. She left it to the court to give its directions.
3. I find that cause has not been shown to the satisfaction of the court that the suit should NOT be dismissed.
4. In the circumstances, the suit is dismissed with no order as to costs.
5. It is so ordered

Delivered in open court at Chuka this **17th day of January, 2018** in the presence of:

CA: Ndegwa

Miss Kiome for the plaintiff

P.M. NJOROGE

JUDGE