

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC CASE NO. 205 OF 2017

FORMERLY MERU ELC. 273 OF 2013

NJAGI NGAJIU.....PLAINTIFF

VERSUS

NICHOLAS NJERU NJAGI..... DEFENDANT

RULING

1. 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. Only the plaintiff and his advocate came to court. Miss Kiome, the plaintiff's advocate told the court that the plaintiff had filed Chuka SPM No.132 of 2016, seeking orders similar to the ones he sought in this suit. She asked the court to dismiss this suit and award costs to the defendant.
3. I find that no cause has been shown to the satisfaction of this court that this suit should not be dismissed. Indeed, the plaintiff was not in court to show cause.
4. In the circumstances, this suit is dismissed.
5. Costs are awarded to the defendant.

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