



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT AT MERU**

**JUDICIAL REVIEW NO. 14 OF 2017**

**REPUBLIC.....APPLICANT**

**VERSUS**

**DISTRICT LAND ADJUDICATION SETTLEMENT**

**OFFICER TIGANIA EAST SUB-COUNTY..... (RESPONDENT)**

**AND**

**ANDREW KINYUA MUKIRI.....INTERESTED PARTY**

**EX-PARTE**

**TERESINA KARAMBU JOEL (Suing as a legal representative of the**

**estate of JOEL M’IMI KI M’ETIRIKIA).....RESPONDENT**

**R U L I N G**

- 1) On 01:11:17, the Court gave directions for the suit to be heard by way of Written Submissions. The Exparte Applicant was given 14 days within which to file and serve their Submissions. Almost 3 months down the line on 29: 01:18, the Exparte Applicant had not complied with the Court order of 01:11:17. No reasonable or any explanation at all has been given as to why there was none compliance with the Court Order.
- 2) The Interested Party and the Respondent have urged the Court to dismiss the suit for want of prosecution.
- 3) I am in agreement with this argument.
- 4) There being no explanation as to why the Ex-parte Applicant did not comply with the Court Order of 01:11:17, then I proceed to dismiss this suit for want of prosecution with costs to Interested Party and Respondent.

**DATED, SIGNED AND DELIVERED IN OPEN COURT AT MERU THIS DAY OF 21<sup>st</sup> FEBRUARY, 2018 IN THE PRESENCE OF:-**

**Court Assistant:** Janet/Galgalo

No appearance for applicant

No appearance for respondent

K. Gitonga for Interested Party present

**HON. L. N. MBUGUA**

**ELC JUDGE**