

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC CASE NO. 113 OF 2017

FORMERLY MERU ELC. 128 OF 2009

ANDERSON GITARI MWANGI.....PLAINTIFF

VERSUS

ROLAND MBUBA MUKINGO & ANO.....DEFENDANTS

RULING

1. Notice was properly issued for the parties to come to court on **11th April, 2018** to show cause why this suit should not be dismissed in terms of the provisions of order 17 rules 2(1) and 2(2) of the Civil Procedure Rules.
2. On 11th April, 2018, the plaintiff did not come to court. Miss Kithaka, the Interested Party's Advocate urged the court to dismiss the suit for non-prosecution.
3. Mr. Ndolo holding brief for Mr. Wachira for the defendant, left the matter to the discretion of the court.
4. I find that no cause has been shown to the satisfaction of the court that the suit should NOT be dismissed.
5. In the circumstances, this suit is dismissed.
6. Costs are awarded to the Interested party.
7. It is so ordered.

Delivered in open Court at Chuka this 11th day of April, 2018 in the presence of:

CA: Ndegwa

Kithaka h/b E.G. Mwangi for the Interested Party

Ndolo h/b for Wachira for the Defendant.

P. M. NJOROGE

JUDGE