

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT

AT CHUKA

CHUKA JUDICIAL REVIEW CASE NO. 19 OF 2017

REPUBLIC OF KENYA.....APPLICANT

VERSUS

KIREA GAICU (CHIEF KATHANGACHINI LOCATION)....RESPONDENT

AND

STELLA MUKARI NJAGI.....INTERESTED PARTY

REUBEN KIJIRU.....EX-PARTE APPLICANT

RULING

1. Notice was properly issued for parties to come to court to show cause why the suit should not be dismissed in terms of the provision contained in Order 17 Rule 2(1) of the Civil Procedure Rules.
2. The ex-parte applicant and the Interested Party were not in court. Mr. Kiongo told the court that their absence was indicative of the fact that they were no longer interested in the suit. He urged the court to dismiss the suit with costs to the Respondents.
3. I find that no cause has been shown to the satisfaction of the court that the suit should NOT be dismissed.
4. In the circumstances, this suit, is dismissed.
5. All orders issued in this suit are hereby vacated.
6. Costs are awarded to the Respondent.
7. It is so ordered.

Delivered in open Court at Chuka this 17th day of May, 2018 in the presence of:

CA: Ndegwa

Kiongo for the Respondent

P.M. NJOROGE

JUDGE