



**REPUBLIC OF KENYA**

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

**CHUKA ELC CIVIL APPEAL CASE NO. 120 OF 2017**

**FORMERLY MERU ELC CIVIL APPEAL NO. 96 OF 2012**

**CATHERINE MUTHONI RIUNGU.....APPELLANT**

**VERSUS**

**ASHFORD NJERU M'RACHI & ANO.....RESPONDENTS**

**RULING**

1. When the parties were to come to court on **3.5.2018** to show cause why this suit should not be dismissed for want of prosecution in terms of order **42 rule 35(2)** of the Civil Procedure Rules, they did not turn up. The matter had been listed for dismissal before me.
2. I am satisfied that the apposite notice was properly issued.
3. I find that the parties have failed to show cause why this suit should not be dismissed for want of prosecution in term
5. S. of **order 42 rule 35(2)** of the Civil Procedure Rules. The suit, therefore, merits dismissal.
6. The suit is dismissed.
7. It is so ordered.

**Delivered in open Court at Chuka this 3<sup>rd</sup> day of May, 2018 in the presence of:**

**CA: Ndegwa**

**Parties not in court**

**P.M. NJOROGE**

**JUDGE**