



**REPUBLIC OF KENYA**

**IN THE HIGH COURT AT CHUKA**

**CHUKA ELC CASE NO 40 OF 2017**

**FORMERLY MERU ELC CASE NO. 43 'B' OF 2014**

**NJAGI JULIUS.....1<sup>ST</sup> PETITIONER**

**BERNARD KAMWARA ON THEIR OWN BEHALF &**

**ON BEHALF OF 34 OTHERS.....2<sup>ND</sup> PETITIONERS**

**VERSUS**

**DAVID KITHAKA GAICU.....1<sup>ST</sup> RESPONDENT**

**EZEKIEL MUTHENGI.....2<sup>ND</sup> RESPONDENT**

**DANIEL G. KANAKE.....3<sup>RD</sup> RESPONDENT**

**DISTRICT GENDER SOCIAL DEVELOPMENT OFFICER**

**THARAKA NITHI .....4<sup>TH</sup> RESPONDENT**

**ATTORNEY GENERAL.....5<sup>TH</sup> RESPONDENT**

**RULING**

1. The parties in this matter have twice failed to come to court for pre-trial conferencing and other directions in accordance with order 11, CPR.
2. In the circumstances, I find it necessary to make an appropriate order to strike out the suit.
3. This suit is, therefore, struck out.
4. It is so ordered.
5. Delivered in open court at Chuka this 28<sup>th</sup> day of February, 2017 in the presence of:

CA: Ndegwa

Parties not present

**P. M. NJORGE,**

**JUDGE**