

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT CHUKA

CHUKA ELC CASE NO 83 OF 2017

FORMERLY MERU ELC CASE NO.63 OF 2013

MARTHA GACHEA KATHENYA.....PLAINTIFF

VERSUS

JOHN MATI.....1ST DEFENDANT

KITHANDURU M'MUTUNGI.....2ND DEFENDANT

RULING

1. When the parties were to come to court on 22.2.2017 to show cause why this suit should not be dismissed for want of prosecution in terms of order 17 rule 2(1) of the Civil Procedure Rules, they did not turn up.

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 terms of order 17 rule 2 (1) of the Civil Procedure Rules.

The suit, therefore, merits dismissal.

4. The suit is dismissed.

5. It is so ordered.

Delivered in open court at Chuka this 22nd day of February, 2017 in the presence of:

CA: Ndegwa

Parties absent

P.M. NJOROGE

JUDGE