

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT

AT CHUKA

CHUKA MISC JR CASE NO. 09 OF 2017

FORMERLY MERU MISCELLANEOUS CIVIL CASE NO. 132 OF 2012

IN THE MATTER OF THE ESTATE OF LUCY MUTHONI KATHENYA (DECEASED)

KENNETH G. KATHENYA.....PETITIONER

VERSUS

MOSES MURITHI.....RESPONDENT

RULING

1. When the parties were to come to court on 15.3.2017 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 15th day of March, 2017 in the presence of:

CA: Ndegwa

Parties - absent

P. M. NJOROGE

JUDGE