

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA MISC JR CASE NO. 08 OF 2017

IN THE MATTER OF CHUKA SUCCESSION NO. 274 OF 2011

FORMERLY MERU MISCELLANEOUS CIVIL CASE NO. 84 OF 2012

IN THE MATTER OF THE ESTATE OF M'BIRISI MAETI (DECEASED)

FRANCIS JOHNSON KABURU.....PETITIONER

VERSUS

FREDRICK G. NKONGE.....RESPONDENT

RULING

1. Parties were to come to court on 15.3.2017 to show why this suit should not be dismissed for want of prosecution in terms of Order 17 Rule 2 of the Civil Procedure Rules.
2. The petitioner and his advocate were not in court.
3. Mr. Kiongo for the AG told the court that he supported dismissal of the suit.
4. I find that the parties have not shown cause why the suit should not be dismissed.
5. In the circumstances, this suit is dismissed.
6. It is so ordered.

Delivered in open court at Chuka this 15th day of March, 2017 in the presence of:

CA: Ndegwa

Kiongo for the AG for Apposite respondents.

P. M. NJOROGE

JUDGE