



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA MISCELLANEOUS JR CASE NO 04 OF 2017

FORMERLY MERU MISCELLANEOUS APPLICATION NO.40 OF 2010

**IN THE MATTER OF AN APPLICATION BY MBUGI KIRAKURA FOR ORDERS OF
CERTIORARI AND PROHIBITION**

AND

**IN THE MATTER OF SECTION 8 & 9 OF THE LAW REFORM ACT CAP 26 LAWS OF
KENYA**

AND

IN THE MATTER OF LAND COMMITTEE CASE NO. 94/05, 92/05, 232/05, 22/05, 209/05, 228/05

AND

**IN THE MATTER OF ARBITRATION BOARD CASES NUMBER 157/08, 158/08, 159/08, 161/08,
166/08**

AND

**IN THE MATTER OF PARCEL NO.216 – THARAKA ADJUDICATION AREA, GATUNGA
ADJUDICATION SECTION**

AND

REPUBLIC.....

APPLICANT

VERSUS

**THE CHAIRMAN OF THE ARBITRATION BOARD, THARAKA ADJUDICATION AREA,
GATUNGA ADJUDICATION SECTIO.....1ST RESPONDENT**

**THE LAND ADJUDICATION OFFICER, THARAKA ADJUDICATION AREA, GATUNGA
ADJUDICATION SECTION2ND RESPONDENT**

THARAKA COUNTY COUNCIL

.....INTERESTED PARTY

KIRAKURA

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