



**REPUBLIC OF KENYA**

**IN The ENVIRONMENT AND LAND COURT AT CHUKA**

**CHUKA ELC CASE NO 92 OF 2017**

**FORMERLY MERU ELC CASE NO. 38 OF 1997**

**JOHN THUKUKOBIA & ANO.....PLAINTIFF**

**VERSUS**

**CHARLES MALONZA & OTHERS.....DEFENDANTS**

**RULING**

1. When the parties were to come to court on 8.3.2017 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 8<sup>th</sup> day of March, 2017 in the presence of:**

CA: Ndegwa

Parties -absent

**P.M. NJOROGE**

**JUDGE**