

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC [C.A] CASE NO 15 OF 2017

FORMERLY MERU ELC [CA] CASE NO.38 OF 2011

ELLY JOY CIAKUTHE NTABARI.....APPELLANT

VERSUS

M'IMWITHA RUGIRI.....1ST RESPONDENT

JAMES MBABU MUCHIRI....2ND RESPONDENT

RULING

1. When this matter was coming up in court on 5.4.2017 for parties to show cause why the suit should not be dismissed for want of prosecution, Mr. Mark Muriithi, holding brief for Mr. B. G. Kariuki, for the Appellant told the court that he had instructions to have the Appeal withdrawn.
2. The respondent did not oppose the withdrawal.
3. In the circumstances this Appeal is withdrawn and should be removed from the register of pending suits.
4. No costs are awarded.
5. It is so ordered.

Delivered in open court at Chuka this 5th day of April, 2017 in the presence of:

CA: Ndegwa

Mark Muriithi h/b B.G.Kariuki for the Appellant

Elljoy Ciakuthii – Respondent

P. M. NJOROGE,

JUDGE