



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT**

**AT CHUKA**

**CHUKA ELC [CA] CASE NO 25 OF 2017**

**FORMERLY MERU ELC [CA] CASE NO. 106 OF 2012**

**COUNTY COUNCIL OF MERU SOUTH.....APPELLANT**

**VERSUS**

**WILFRED MARANGU MUTWIRI.....RESPONDENT**

**RULING**

1. Parties were to come to court to show cause why the appeal should not be dismissed for want of prosecution on 25.7.2015.

2. I am satisfied that the apposite notice was issued to the parties. However, only the respondent was in court.

3. I find that the respondent has shown to the satisfaction of the court why the appeal should be dismissed. Conversely, I find that the appellant has not shown to the satisfaction of the court why the appeal should NOT be dismissed.

4. In the circumstances, this appeal is dismissed.

5. I issue no order as to costs.

6. It is so ordered

Delivered in open court at Chuka this 25<sup>th</sup> day of July, 2017 in the presence of:

CA: Ndegwa

Wilfred Marangu Mutwiri -respondent

**P.M. NJOROGE**

**JUDGE**