

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC CASE NO 138 OF 2017

FORMERLY MERU ELC CASE NO. 52 OF 2011

STANELY MATHARA MUTIGAPLAINTIFF

VERSUS

NJERU MURUGU NGITUNG'A.....DEFENDANT

RULING

1. When the parties were to come to court on **24.10.2017** 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, only the plaintiff turned 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 **24th day of October, 2017** in the presence of:

CA: Ndegwa

Plaintiff present

Defendant absent

P. M. NJOROGE

JUDGE