



REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT OF KENYA AT CHUKA

CHUKA ELC PETITION CASE NO. 3 OF 2017

FORMERLY MERU ELC PETITION CASE NO. 4 OF 2010

IN THE MATTER OF THE CONSTITUTION OF KENYA

AND

IN THE MATTER OF VIOLATION OF PROVISIONS OF THE BILL OF RIGHTS AND
ENFORCEMENT OF THE SAME

UNDER ARTICLE 23(1) & (3), 258 (1) OF THE CONSTITUTION OF KENYA

AND

RULE 19 OF SIXTH SCHEDULE OF THE TRANSITION AND CONSEQUENTIAL PROVISIONS

BETWEEN

THE PRESBYTERIAN FOUNDATION PCEA IRIGA PARISH
IRIGA DISPENSARY.....PETITIONERS

VERSUS

DIRECTOR OF MEDICAL SERVICES...1ST RESPONDENT
MERU SOUTH COUNTY COUNCIL2ND RESPONDENT
ATTORNEY GENERAL.....3RD RESPONDENT

RULING

1. When the parties were to come to court on **19.10.2017** 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, 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 19th day of October, 2017.

in the presence of:

CA: Ndegwa

Parties not in court

P.M. NJOROGE

JUDGE