

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC CIVIL APPEAL CASE NO 89 OF 2017

FORMERLY MERU ELC CASE NO. 297 OF 2013

KIBUGI MBARIRE.....APPELLANT

VERSUS

STEPHEN NJAGI IRERI.....RESPONDENT

RULING

1. Notice had been issued for parties to come to court to show cause why this appeal should not be dismissed for want of prosecution.
2. Cause was to be shown on 18.10.2017.
3. Advocate I. C. Mugo, for the Appellant, told the court that he had instructions from the appellant to have the appeal withdrawn.
4. Advocate Muriithi, for the respondent told the court that he was not opposed to the withdrawal but prayed for costs.
5. The following orders are granted:-
 - a. The appeal is marked as withdrawn and should be removed from the list or register of pending appeals.
 - b. Costs are awarded to the Respondent.

Delivered in open court at Chuka this 18th day of October, 2017 in the presence of:

CA: Ndegwa

IC Mugo for the Appellant

Mark Muriithi for the Respondent

P.M. NJOROGE

JUDGE