



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

**CHUKA ELC CASE NO. 123 OF 2017**

**FORMERLY MERU ELC CASE NO.104 OF 2010**

**CHARLES MUTHAURA MITHIKA.....PLAINTIFF**

**VERSUS**

**M'MATHAINE M'MUTUNGI.....DEFENDANT**

**RULING**

1. When the parties were to come to court on **12.10.2017** 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 **12<sup>th</sup> day of October, 2017** in the presence of:

CA: Ndegwa

Parties not in court

**P.M. NJOROGE**

**JUDGE**