



**REPUBLIC OF KENYA**

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

**CHUKA ELC CASE NO 106 OF 2017**

**FORMRLY MERU ELC CASE NO.100 OF 2007**

**FREDRICK KIRIMI.....PLAINTIFF**

**VERSUS**

**WILFRED KINYUA.....DEFENDANT**

**RULING**

1. Parties came to court on 10.10.2017 to show cause why the suit should not be dismissed for want of prosecution.
2. Mr.Nyamu Nyaga, the plaintiff's advocate, told the court that all parties had complied with order 11, CPR. He asked the court to give the parties a last chance so that the suit can be heard and determined on its merits.
3. Miss Wanjohi, the defendant's advocate, supported the position taken by the plaintiff's advocate.
4. I find that the parties have shown to the satisfaction of the court that the suit should not be dismissed.
5. In the circumstances, the suit is not dismissed.
6. The suit will be heard on 13.11.2017.
7. It is so ordered.

Written and delivered in open court at Chuka this **10<sup>th</sup> day of October, 2017** in the presence of:

CA: Ndegwa

Nyamu Nyaga for the Plaintiff

Miss Wanjohi for the Defendant

**P.M. NJOROGE**

**JUDGE**