



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

**CHUKA ELC CASE NO 151 OF 2017**  
**FORMERLY MERU ELC CASE NO.40 OF 2012**

**M'KAIRANYA M'MAJURIA.....PLAINTIFF**

**VERSUS**

**DAVID MUTEGI KAIRANYA.....DEFENDANT**

**RULING**

1. Parties were to come to court on 30.11.2017 to show cause why the suit should not be dismissed for want of prosecution in terms of the provisions of Order 17 Rule 2(1) of the Civil Procedure Rules.
2. They did not attend court. However, a letter dated 29.11.2017 was filed in court on 29.11.2017 informing the court that the plaintiff had wholly withdrawn the suit against the defendant.
3. I find that the parties did not show cause to the satisfaction of this court that the suit should not be dismissed.
4. In the circumstances, this suit is dismissed.
5. No costs are awarded.
6. It is so ordered.

Delivered in open court at Chuka this **30<sup>th</sup> day of November, 2017** in the presence of:

CA: Ndegwa

Parties not present

**P. M. NJOROGE,**

**JUDGE.**