

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC CASE NO 155 OF 2017

FORMERLY MERU ELC CASE NO. 106 OF 2012

DAVID KINYUA BEDFORD.....PLAINTIFF

VERSUS

CO-OPERATIVE BANK OF KENYA.....DEFENDANT

RULING

1. Parties were to come to court on 29.11.2018 to show cause why the suit should not be dismissed for want of prosecution in terms of order 17 rule 2(1) of the Civil Procedure Rules.
2. Only the plaintiff attended court. He told the court that the advocate who was handling the matter was made a judge. He also said that he was negotiating a settlement with the defendant.
3. I do note that the firm of advocates which is on record as representing the plaintiff is still in existence. I note that since I delivered a ruling on 19.3.2014, which ruling gave the plaintiff injunctive orders, no step has ever been taken in this matter. This is nearly 4 years ago.
4. I find that the parties have not shown to the satisfaction of this court that the suit should NOT be dismissed.
5. In the circumstances, this suit is dismissed.
6. No costs are awarded

Delivered in open court at Chuka this **29th day of November, 2017**

in the presence of:

CA: Ndegwa

Daniel Kinyua Bedford - plaintiff

P.M. NJOROGE

JUDGE