

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT

AT CHUKA

CHUKA ELC CASE NO. 135 OF 2017

FORMERLY MERU ELC CASE NO. 165 OF 2011

BENJAMIN MUTEGLI.....PLAINTIFF

VERSUS

PHILIP MUGAO.....DEFENDANT

RULING

1. When the parties were to come to court on **19.12.2017** 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 **19th day of December, 2017** in the presence of:

CA: Ndegwa

Parties not in court

P.M. NJOROGE

JUDGE