



**REPUBLIC OF KENYA**

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

**CHUKA ELC CASE NO. 170 OF 2017**

**FORMERLY MERU ELC CASE NO. 23 OF 2012**

**STEPHEN MURUNGI M'TUARUCHIU .....PLAINTIFF**

**VERSUS**

**MPURURU PETER MAUTHI.....DEFENDANT**

**RULING**

1. Parties were to come to court on **18.12.2017** to show cause why the suit should not be dismissed for want of prosecution.
2. Mr. I.C Mugo who held brief for Mr. Kiogora for the plaintiff told the court that the suit had been settled by the parties out of court.
3. I find that settling the matter outside the court, and without allowing the court to know what has transpired, does not constitute cause to the satisfaction of the court that the suit should not be dismissed.
4. In the circumstance, this suit is dismissed.
5. There is no order as to costs.
6. It is so ordered.

Delivered in open court at Chuka this **18<sup>th</sup> day of December, 2017**

in the presence of:

CA: Ndegwa

I.C Mugo h/b Kiogora for the plaintiff

**P.M. NJOROGE**

**JUDGE**