

REPUBLIC OF KENYA

IN THE ENVIRONMENT & LAND COURT AT KERICHO

MISCELLANEOUS APPLICATION NO. 25 OF 2010

TABUTANY C. CHEPKWONY.....1ST APPLICANT

DAVID C. MILGO.....2ND APPLICANT

REUBEN K. MILGO.....3RD APPLICANT

JOSEPH K. MILGO.....4TH APPLICANT

VERSUS

ALICE CHERONO BII.....1ST RESPONDENT

THE CHAIRMAN LONDIANI LAND DISPUTES TRIBUNAL.....2ND RESPONDENT

THE PRINCIPAL MAGISTRATE'S COURT AT KERICHO.....3RD RESPONDENT

RULING

When this matter was called out in the morning, it emerged that court adjournment fees ordered on 5th May, 2015 had not been paid by the applicants. I placed the file aside to facilitate payment. I have been waiting since then and it is now 12.30p.m. The applicants are absent and so is their Counsel. I have caused the matter to be called both inside and outside court and there is no response. This matter was today fixed for hearing of the main motion for judicial review. It appears to me that the applicants are no longer interested in the matter hence their failure to pay Court Adjournment Fees and their absence in court.

For failure to prosecute, I have no option but to dismiss the Judicial review motion with costs to the respondents.

It is so ordered.

Dated, Signed and delivered on this 20th day of July, 2015 in the absence of M/s J.K. Kirui & Company Advocates for applicants and No appearance for Respondents. Court clerk; Kenei

MUNYAO SILA

JUDGE

ENVIRONMENT AND LAND COURT