

12. The record also show that an application to dismiss the Cause for want of prosecution had been filed on 11 October 2017. The applicant has not only been dishonest but also casual in dealing with his case.

13. For the above reasons, the Court finds that the application lacks merit and orders it dismissed with costs to the Respondent.

Delivered, dated and signed in Nairobi on this 7th day of December 2018.

Radido Stephen

Judge

Appearances

For applicant Mrs. Nyaberi instructed by Maari Nyaberi & Associates

For Respondent Ms. Athman instructed by Tariq Khan & Associates

Court Assistant Lindsey