



**Ngaywa Ngigi & Kibet Advocates v Invesco Assurance Company Ltd (Miscellaneous Civil Application 218 of 2019) [2025] KEHC 1294 (KLR) (30 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 1294 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIAMBU  
MISCELLANEOUS CIVIL APPLICATION 218 OF 2019  
DO CHEPKWONY, J  
JANUARY 30, 2025**

**BETWEEN**

**NGAYWA NGIGI & KIBET ADVOCATES ..... APPLICANT**

**AND**

**INVESCO ASSURANCE COMPANY LTD ..... RESPONDENT**

**RULING**

1. This matter is for mention for parties to show cause why the suit should not be dismissed for want of prosecution; a Notice to Show Cause having been issued on 30<sup>th</sup> October, 2024, and served upon counsel for the parties herein.
2. Neither party nor their respective counsel have attended court as notified. There is no representation to explain their absence and or why the suit should not be dismissed for want of prosecution as indicated in the Notice to Show Cause.
3. On 30<sup>th</sup> October, 2024, the court noted that there had been no activity in the matter since 10<sup>th</sup> July, 2019, when a ruling on the bill of costs was delivered.
4. In view of this, it is clear that the parties and or their respective counsel have lost interest in having the suit prosecuted and because of this, this is one of the cases that have clogged the court system as backlog hence the need to unclog the same.
5. As result, this suit is dismissed for want of prosecution as per the provisions of Order 17 Rule 2 of the [Civil Procedure Rules](#).

It is so ordered.

**RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 30<sup>TH</sup> DAY OF JANUARY, 2025.**

**D.O CHEPKWONY**



## **JUDGE**

In the Presence of:

Martin – Court Assistant

No appearance for and by Either Party

