



**Njoroge v Kinyu & 3 others (Civil Case E044 of 2024)
[2025] KEHC 2461 (KLR) (27 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 2461 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
CIVIL CASE E044 OF 2024
DO CHEPKWONY, J
FEBRUARY 27, 2025**

BETWEEN

STEPHEN NJOROGE PLAINTIFF

AND

DIANA GATHONI KINYU 1ST RESPONDENT

SUMAC MICROFINANCE BANK LIMITED 2ND RESPONDENT

JOSRICH MERCHANTS AUCTIONEERS 3RD RESPONDENT

LAND REGISTRAR 4TH RESPONDENT

RULING

1. This matter was for mention for parties to show cause why the suit cannot be dismissed for want of prosecution, the Notice to Show Cause having been taken out on 29th January, 2025 and served upon the counsel for the parties on 7th February, 2025. Neither party nor their respective counsel have filed any response nor attended court to show cause why this suit should not be dismissed for want of prosecution. They have not even sent representation to explain their absence.
2. It is worth-noting that the Notice to Show Cause was issued following the court’s observation that neither party had attended court since the Notice of Motion application alongside a Plaint, both dated 18th November, 2024. There is no evidence that the same were served upon the Respondents and neither has any of the Respondents filed a response thereto. This is a clear indication that the parties, and more so the Plaintiff/Applicant has lost interest in their case.
3. Therefore, to avoid clogging this Court’s system with backlog, the suit is hereby dismissed for want of prosecution.

It is so ordered.



RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 27TH DAY OF FEBRUARY, 2025.

D. O. CHEPKWONY

JUDGE

In the presence of:

No appearance by and for either party

Court Assistant - Martin

