



REPUBLIC OF KENYA



**In re Estate of the Later Peter Munubi Vuyiya (Probate & Administration
30 of 1999) [2023] KEHC 27209 (KLR) (20 December 2023) (Ruling)**

Neutral citation: [2023] KEHC 27209 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
PROBATE & ADMINISTRATION 30 OF 1999
RN NYAKUNDI, J
DECEMBER 20, 2023**

IN THE MATTER OF THE ESTATE OF THE LATER PETER MUNUBI VUYIYA

BETWEEN

FRANKLINE MUNUBI VUYIYA 1ST PETITIONER

PAMELA SAUSU KIOKO 2ND PETITIONER

AND

MBIYU PETER MUNUBI RESPONDENT

RULING

- 1 Pursuant to the orders of this court issued on May 2, 2023 the Land Registrar, Vihiga County filed a report on the status of the land parcel no Kakamega/South Maragoli/Lugovo/925. The report revealed that Dorokasi Inyambula Munubi was registered as the proprietor of the parcel of land by virtue of a decree dated November 8, 2018 in Kakamega ELC No.83 of 2013. Further, that the land has been subdivided into four portions being: -
 1. South Maragoli/Lugovo/2307
 2. South Maragoli/Lugovo/2308
 3. South Maragoli/Luvogo/2309
 4. South Maragoli/Luvogo/2310
- 2 All the parcels are currently registered in the name of Torokasi Inyambula Munubi evidenced by the mutation forms attached to the report. I note that the name Dorokasi has been used interchangeably with Dorcas and Torokasi to refer to the same person.
- 3 I am alive to the averments by the petitioners that there is a pending Appeal against the decision in Kakamega ELC No 83 of 2013 vide Civil Appeal No 1 of 2019-Ruth Auma Vuyiya as Dorcas



Inyambula Munubi-Kisumu. It is not clear what the position of the Appeal is at this juncture as the outcome of the Appeal would affect the proprietorship of the parcel of land that comprises the estate I direct as follows:

1. Counsel for the applicant to ascertain the position of the Appeal within the next 14 days
2. Any supporting documentation on the current position of the appeal be filed in court
3. The matter be mentioned 26.2.2024 for confirmation of the position of the Appeal and directions.

DATED, SINGED AND DELIVERED VIA EMAIL AT ELDORET ON 20TH DAY OF DECEMBER 2023.

.....

R. NYAKUNDI

JUDGE

