



**Ng'ang'a & another v Ng'ang'a & another (Miscellaneous Application
E101 of 2021) [2022] KEHC 13124 (KLR) (22 September 2022) (Ruling)**

Neutral citation: [2022] KEHC 13124 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
MISCELLANEOUS APPLICATION E101 OF 2021
MM KASANGO, J
SEPTEMBER 22, 2022**

BETWEEN

SOSPETER KIBEH NG'ANG'A 1ST APPLICANT

PETER NDUNGU NG'ANG'A 2ND APPLICANT

AND

MARGARET WANJIRU NG'ANG'A 1ST RESPONDENT

AGNES WARIGIA NG'ANG'A 2ND RESPONDENT

(Being an appeal from the Ruling and Order of Kiambu Chief Magistrates Court (Hon. P. Gichohi, CM) dated 18th June, 2019 in Kiambu Succession Cause No. 294 of 2016)

RULING

1. The applicants seek leave by the notice of motion dated 27th April, 2021 to file an appeal out of time of the Ruling of the trial court of 18th June, 2019.
2. The applicants, though they blame their previous counsel for the delay, they however depone that the trial court's file was availed to them in October, 2019. They however only filed the present application in April, 2021.
3. There is insufficient explanation of the delay to file the appeal or to seek leave and accordingly, I find no merit in the application; it is dismissed with costs.

Court

4. File closed.

RULING DATED AND DELIVERED AT KIAMBU THIS 22ND DAY OF SEPTEMBER, 2022.

MARY KASANGO



JUDGE

Coram:

Court Assistant : Mourice

For 1st & 2nd Appellant/applicant : - Mr. Wambu H/B Mrs. Wainaina

For 1st Respondent:- (deceased before Action)

For 2nd Respondent: - Miss Njoroge H/B Mbiyu Kamau

RULING delivered virtually.

MARY KASANGO

JUDGE

