



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT MERU**

**MISC. SUCC. APPLICATION NO. 73 OF 2007**

**PHILIPINUS NJIRU KUURA ..... OBJECTOR**

**VERSUS**

**ZAKARIA NYAGA M'MUNGORI.....PETITIONER**

**R U L I N G**

1. By his Summons for Rectification dated 30<sup>th</sup> May, 2018, the applicant has applied for the correction of typing errors in the Judgment dated 12<sup>th</sup> November, 2014 and consequent thereto for the reissuance of the grant to him. The application is brought under **Rules 49 and 73 of the Probate and Administrative Rules Cap 160 of the Laws of Kenya.**

2. The errors were said to be in **pages 1, 6, 12 14 and 15.** These are that; the title to the Judgment should have been **In the Estate of M'Kuura M'Munyori** instead of **Im the Estate of M'Kuuru M'Munyori**; that **Kuura M'Munyori** bought land from her late husband instead of from his husband; that the name of property **L.R. No. Muthmabi/Upper Karimba/767** should have read as **L.R Muthambi/Upper Karimba/761**; that the date of the confirmed grant should have been 28<sup>th</sup> July, 2004 and not 28<sup>th</sup> June, 2004 and that the judgment should have shown that I was signed dated and delivered on 12<sup>th</sup> November, 2014 and not 12<sup>th</sup> October, 2010.

3. Mr. Mokuu for the respondent indicated that they were not opposed to the application. Mr. Nyamu for the applicant therefore urged the court to allow the application as prayed.

4. I have considered the application and the entire record. I am satisfied that the errors pointed out are true and that the judgment should have read as prayed by the applicant. In the circumstances, I allow the application as prayed in the application. Let the judgment be retyped and with the corrections suggested by the applicant.

Orders accordingly.

**DATED and DELIVERED at Meru this 28<sup>th</sup> day of June, 2018.**

**A. MABEYA**

**JUDGE**