



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

HCC NO 72 OF 2008 (OS)

IN THE MATTER OF M'IBIIRI KARUNYA- DECEASED

AND

IN THE MATTER OF LAND PARCEL NUMBER KIANJAI MITUNTU/131

BETWEEN

SILAS KIREMA M'IBIIRI.....1ST PLAINTIFF

ESTHER MWENGWA M'IBIIRI.....2ND PLAINTIFF

PRISCHILLA KAGURI M'IBIIRI.....3RD PLAINTIFF

VERSUS

PETER MUNYI M'IBIIRI.....1ST DEFENDANT

JEREMIAH MUGAMBI THURANIRA.....2ND DEFENDANT

DOMINIC KITHERA MEMEU.....3RD DEFENDANT

DAVID MWIRIGI KINOTI.....4TH DEFENDANT

TIMOTHY MURITHI KINOTI.....5TH DEFENDANT

ESTHER KARIMI.....6TH DEFENDANT

ORDER/RULING

There is a ruling delivered on 27.10.11 by Judge Lesiit whereby the consent order of 23.03.00 was set aside. The Court had also indicated that the issue of the distribution of the estate of M'ibiiri Karunya and the matter of land parcel No. Kianjai/Mitutu/131 be determined in a succession cause.

Against this background, I am unable to make a determination with regard to the present application as it touches on distribution of the Suitland.

DELIVERED, DATED AND SIGNED IN OPEN COURT AT MERU THIS 20TH SEPTEMBER, 2017

IN THE PRESENCE OF:-

HON. L. N. MBUGUA

ELC JUDGE