



**Kimani & 7 others v Kimani; Chairman, Kabete Land Board & another  
(Interested Parties) (Environment and Land Miscellaneous Application  
8 of 2023) [2023] KEELC 22219 (KLR) (6 December 2023) (Judgment)**

Neutral citation: [2023] KEELC 22219 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT THIKA  
ENVIRONMENT AND LAND MISCELLANEOUS APPLICATION 8 OF 2023  
BM EBOSO, J  
DECEMBER 6, 2023**

**BETWEEN**

**JAYNE GATHONI KIMANI ..... 1<sup>ST</sup> APPLICANT  
WILFRED MURAMATI KIMANI ..... 2<sup>ND</sup> APPLICANT  
GRACE GATHONI KIMANI ..... 3<sup>RD</sup> APPLICANT  
KIHARA KIMANI ..... 4<sup>TH</sup> APPLICANT  
LIBIN KIMANI NJENGWA ..... 5<sup>TH</sup> APPLICANT  
MONICAH WAMBUI KIMANI ..... 6<sup>TH</sup> APPLICANT  
EUNICE NJOKI NJENGA ..... 7<sup>TH</sup> APPLICANT  
EDWARD KIMANI ..... 8<sup>TH</sup> APPLICANT**

**AND**

**VIRGINIA WANJIKU KIMANI ..... RESPONDENT**

**AND**

**CHAIRMAN, KABETE LAND BOARD ..... INTERESTED PARTY  
LAND REGISTRAR, KIAMBU ..... INTERESTED PARTY**

**JUDGMENT**

1. Through the amended originating summons dated 26/7/2023 and amended on 19/10/2023, the applicants seek an order terminating the trust relating to the registration of the respondent as proprietor of Kabete/Kanyariri/3761. They want the land disposed and each beneficiary given their respective shares of the sale proceeds upon breaking the trust.



2. The trustee [respondent] has attended court today. She has identified herself through ID Card Number [particulars withheld]. She is in agreement that the trust should be ended as prayed.
3. In the circumstances, the amended originating summons dated 19/10/2023 is allowed in terms of prayers 1, 2, and 3.
4. There shall be no order as to costs.

**DATED, SIGNED AND DELIVERED VIRTUALLY AT THIKA ON THIS 6<sup>TH</sup> DAY OF DECEMBER 2023**

**B M EBOSO**

**JUDGE**

**In the presence of:**

Mr James Wang'ang'a Advocate for the Plaintiff/Applicant

Virginia Kimani – Respondent - Present in person and having presented ID Card Number [particulars withheld]

Court Assistant: Dominic Waweru

