



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT KERICHO
SUCCESSION CAUSE 16 OF 2002
IN THE MATTER OF ESTATE OF

PHILEMON KIPKOROS LANGAT DECEASED

AND

TIMOTHY KIPRONO LANGAT.....} 1ST PETITIONER

CALEB KIPLANGAT KORIR} 2ND PETITIONER

FAITH CHELANGAT} 3RD PETITIONER

RULING

Confirmation of Probate of grant of letters

1: Summons for confirmation of grant dated 20th May, 2009

1. The deceased Philemon Kipkoros Langat was aged 56 years old at the time he passed away on the 22nd November, 2000 having succumbed to cancer.
2. He was married to two women- Rebecca Langat and Leah Tugutwa. A third alleged wife attempted to be included in the share of the estate as the widow. This was rejected by court (*Koome J*) on grounds that she was never a widow to the deceased and having lived eleven months prior to the deceased passing away.
3. Visram J issued grant of temporary letters of administration on 25th June, 2002 and a Kenya Gazette Notice published on 19th February, 2002.
4. The application of 20th May, 2009 prayed grant be confirmed.

III: Findings

5. Apportionment under **section 40 (1)** of the Law of Succession requires that the property under a polygamous system of marriage be divided according to houses and the number of children therein.
6. The parties divided and apportioned the deceased assets equally to be held in trust by this

administration being Caleb Kiplangat Korir representing the 1st house and Faith Chelangat representing the second house.

7. I am satisfied that this grant be confirmed. It is accordingly so confirmed.

DATED this 16th day of June, 2009 at **KERICHO**

M.A. ANG'AWA

JUDGE

Advocates

C.K. Korir advocate instructed by M/S C.K. Korir & Co. advocates for Petitioners/Applicants – present