



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT EMBU**

**Civil Appeal 54 of 2001**

**IRERI M'MERU.....APPELLANT**

**VERSUS**

**MAITHA KANG'ANG'I.....RESPONDENT**

**RULING**

Notice of Motion dated 20/12/2007 seeking to correct Judgment and decree made on 6/6/2005 on the ground that the error is on the face of record.

Application is supported by affidavit of Counsel for appellant showing that the appeal was allowed and the Hon. Judge ordered confirmation of grant as per lower court but there was an error the Appellant should have been entitled to 3 acres of land being **Gaturi/Nembure/1776**.

I therefore correct paragraph 11 of the Judgment of this court (**Lenaola- Judge**) thus:

“The order of the lower court is set aside, the distribution of the estate being parcel **No. Gaturi/Nembure/1776** shall be to the Appellant the distribution set out in certificate issued by the lower court on 1/8/2001 is set aside”.

Dated this 17th day of January 2007.

**J. N. KHAMINWA**

**JUDGE**