



**M’Rwito & 4 others v Kobia ( Sued as a Legal Representative of and Administrator of the Estate of the Late Chabari Manga –Deceased); David (Applicant) (Enviromental and Land Originating Summons E013 of 2022) [2025] KEELC 5097 (KLR) (8 July 2025) (Ruling)**

Neutral citation: [2025] KEELC 5097 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT MERU  
ENVIROMENTAL AND LAND ORIGINATING SUMMONS E013 OF 2022**

**BM EBOSO, J**

**JULY 8, 2025**

**BETWEEN**

**PATRICK MUTAI M’RWITO ..... 1<sup>ST</sup> PLAINTIFF  
CECILIA GAITI M’RWITO ..... 2<sup>ND</sup> PLAINTIFF  
JEDIEL MUTHURI CHABARI ..... 3<sup>RD</sup> PLAINTIFF  
KENNETH KIRIMI CHABARI ..... 4<sup>TH</sup> PLAINTIFF  
DAVID MUTWIRI M’RIMBERA ..... 5<sup>TH</sup> PLAINTIFF**

**AND**

**PETERSON KOBIA ( SUED AS A LEGAL REPRESENTATIVE OF AND ADMINISTRATOR OF THE ESTATE OF THE LATE CHABARI MANGA – DECEASED) ..... DEFENDANT**

**AND**

**ESTHER MUTHONI DAVID ..... APPLICANT**

**RULING**

1. Through the notice of motion dated 13/3/2025, the estate of the late David Mutwiri M’rimbera seeks orders of substitution relating to the deceased 5th plaintiff. The exhibited death certificate shows that the deceased died on 23/8/2024. On 28/2/2025, the Chief Magistrate Court at Meru issued a limited grant to Esther Muthoni David. The estate wants Esther Muthoni David to be substituted in place of the deceased.
2. In the absence of any opposition, the plea shall be allowed in terms of prayers 2 and 3 of the application dated 13/3/2025. The amended originating summons shall be filed and served within 14 days.



**DATED, SIGNED AND DELIVERED AT MERU THIS 8TH DAY OF JULY, 2025**

**B.M EBOSO [MR]**

**JUDGE**

In the presence of:-

Mr. Gichunge for the Applicant

Mr. Gitonga holding brief for Mr. Murango Mwenda

Court Assistant - Tupet

