



**In re Estate of the Late HVS (Succession Cause 30 of 2019)  
[2025] KEHC 4134 (KLR) (1 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 4134 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
SUCCESSION CAUSE 30 OF 2019  
SM MOHOCHI, J  
APRIL 1, 2025  
IN THE MATTER OF THE ESTATE OF THE LATE HVS**

**BETWEEN**

**AHS ..... 1<sup>ST</sup> PETITIONER**

**NHS ..... 2<sup>ND</sup> PETITIONER**

**AND**

**TSS ..... OBJECTOR**

**RULING**

1. Before me is a Notice of Motion dated 11<sup>th</sup> March, 2024 seeking to cite the Respondent for contempt for disregarding a consent order dated 15<sup>th</sup> February, 2022 adopted as a judgment on 24<sup>th</sup> February, 2022.
2. I do consider this application as *res-judicata* as the Applicant had successfully obtained a favourable judgment on 18<sup>th</sup> April 2024 in Nakuru High Court Divorce Cause No.2 of 2020.
3. I further note that RR is now of the age of majority and that share of Flat [particulars withheld] is to be registered in the name of RR.
4. The application dated March 11, 2024 is hereby struck out for being *res-judicata*.
5. The Applicant shall execute the judgment in Nakuru Divorce Cause No.2 of 2020.
6. The costs of this application shall be awarded to the 1<sup>st</sup> petitioner.

It is so ordered.

**RULING SIGNED, DATED AND DELIVERED ON THIS 1<sup>ST</sup> DAY OF APRIL, 2025**

**MOHOCHI S.M**



**JUDGE**

