



**In re Estate of M'raiboni Munyora (Deceased) (Succession Cause  
13 of 1997) [2025] KEHC 5987 (KLR) (2 May 2025) (Ruling)**

Neutral citation: [2025] KEHC 5987 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MERU  
SUCCESSION CAUSE 13 OF 1997**

**HM NYAGA, J**

**MAY 2, 2025**

**BETWEEN**

**WILLIAM JOHN MUGO ..... APPLICANT**

**AND**

**LUKE MWIRIGI MUGAMBO ..... RESPONDENT**

**RULING**

1. In essence, the application seeks to have the Deputy Registrar to execute all the transmission documents in respect to the Grant and in accordance with the orders of this court issued on 18<sup>th</sup> January, 2024.
2. I have perused, the response by the respondent. He states that he is unable to implement the grant fully since the applicant is the one in possession of the title for the parcel known as LR No Nkuene/ Kathera/7X8. That due to the lack of the title, he had reported that h same is missing.
3. The respondent assertions are supported by the affidavit of one Josephine Karambu Mbaya, the widow of one beneficiary by the name Josphat Mbaya Raiboni, and Silas Mwiti Raibuni, who is also a beneficiary. I have considered the application ad in my view the application is premature. If the title deed is missing, thereto a process of reporting the loss and for the transmission to be done without the original title.
4. The respondent has not shown efforts to have taken to have the grant implemented and he cannot be faulted. The applicant only needs to be patient and if he has the tile deed as alleged, release it so that the process of transmission can be concluded.
5. Therefore, I find no merit in this application and it is dismissed with no orders as to costs.
6. The administrator if directed to move to have the necessary applications done within the next 7 days and complete the transmission. The court will give a date to confirm compliance.

**DATED, SIGNED & DELIVERED AT MERU THIS 2<sup>ND</sup> DAY OF MAY, 2025.**



**H.M. NYAGA**  
**JUDGE**

