



**In re Estate of Johana Kesioli Maina Johana alias Johana Kesiele Maina (Deceased)
(Succession Cause E031 of 2025) [2025] KEHC 10261 (KLR) (16 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 10261 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BOMET
SUCCESSION CAUSE E031 OF 2025**

JK NG'ARNG'AR, J

JULY 16, 2025

**IN THE ESTATE OF JOHANA KESIOLI MAINA JOHANA
ALIAS JOHANA KESIELE MAINA (DECEASED)**

BETWEEN

MARYLINE CHELANGAT APPLICANT

AND

LUDIA KESIOLI 1ST RESPONDENT

DAVID ROTICH 2ND RESPONDENT

CHARLES ROTICH 3RD RESPONDENT

WALTER ROTICH 4TH RESPONDENT

GRACE KESIOLI 5TH RESPONDENT

GEOFRY ROTICH 6TH RESPONDENT

FRANKLINE ROTICH 7TH RESPONDENT

RULING

1. This is a ruling to the application herein dated 17th April, 2025. It seeks the following prayers:-
 1. Spent
 2. That pending the hearing and determination of this application interpartes this court be pleased to summon chief Kiptulwo Location one Edwin Tobon to appear before this court and explain why he refused to issue chief's letter listing all beneficiaries of the estate to the Petitioner/Applicant herein for purposes of succession.



3. That the court be pleased to allocate five (5) acres in Kericho/Kipsonoi S.S/81 to the Petitioner/ Applicant herein to stay in pending the issuance and confirmation of the grant in the petition herein.
 4. Costs
 5. Further orders
2. I have looked at the application which is not opposed but I cannot issue wholesale prayers as prayed. I only issue prayer (2) of the application. The other prayers can only proceed after the issues are determined on merit.
 3. It will be premature to proceed and grant the orders at this stage. The Applicant to pursue the second prayer and therefore take a mention date where the chief will seek to offer the explanation needed.
 4. This matter may then be mentioned on 29th September, 2025 for further orders.

RULING DELIVERED, DATED AND SIGNED AT BOMET THIS 16TH DAY OF JULY, 2025.

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HON. JULIUS K. NG'ARNG'AR

JUDGE

16/7/2025

