



REPUBLIC OF KENYA



In re Estate of Michael Nakhokho Wabomba (Deceased) (Succession Cause 165 of 2011) [2025] KEHC 9945 (KLR) (9 July 2025) (Ruling)

Neutral citation: [2025] KEHC 9945 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUNGOMA
SUCCESSION CAUSE 165 OF 2011**

MS SHARIFF, J

JULY 9, 2025

IN THE MATTER OF THE ESTATE OF MICHAEL NAKHOKHO WABOMBA -DECEASED

BETWEEN

PATISTA NABWILE KUNDU APPLICANT

AND

PATRICK NYONGESA NAKHOKHO 1ST RESPONDENT

WILLIAM WAFULA FRANCIS 2ND RESPONDENT

DAVID KHISA WABOMBA 3RD RESPONDENT

RULING

1. I have considered the chamber summons dated 26.6.2025, the affidavit in support thereof sworn by Patista Nabwile Kundu the applicant on even date and the enclosures attached thereto.
2. I have also considered the oral submission made by Mr Paul Juma for the objector/applicant in the absence of the Petitioners who have not resisted this application, albeit served and I do find that indeed my brother Justice Kemei had on 29.11.2024 ordered the applicant to follow up on the registration of Parcel No. East Bukusu/West Sang'alo/8288 into her name.
3. On the balance I do find that the application is well merited and I allow and make the following orders:-
 - i. A vesting order do and is hereby granted vesting land Parcel No. East Bukusu/West Sang'alo/8288 to the name of one Patista Nabwile Kundu/the applicant herein.
 - ii. The Deputy Registrar High Court Bungoma is hereby ordered to sign the land transfer forms and the Land Control Board forms in respect of Parcel No. East Bukusu/West Sang'alo/8288 on behalf of the Petitioners; Patrick Nyongesa Nakhokho (1st Petitioner), William Wafula



Francis (2nd Petitioner) and David Khisa Wabomba (3rd Petitioner) in favour of Patista Nabwile Kundu.

- iii. The applicant is awarded costs of this application assessed at Ksh 15,000/- payable within 30 days from the date hereof.
- iv. In the event of default by the Petitioners Respondents to comply with order (iii) hereinabove, the applicant shall be at liberty to execute for the said costs.
- v. This file is hereby marked as closed.

DELIVERED, SIGNED AND DATED AT BUNGOMA THIS 9TH DAY OF JULY 2025.

M.S. SHARIFF

JUDGE

