



REPUBLIC OF KENYA



**In re Estate of Gerishon Kamau Kirima (Deceased) (Succession Cause
1298 of 2011) [2025] KEHC 9815 (KLR) (Family) (4 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 9815 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
SUCCESSION CAUSE 1298 OF 2011
PM NYAUNDI, J
JULY 4, 2025
IN THE MATTER OF THE ESTATE OF GERISHON KAMAU KIRIMA (DECEASED)**

RULING

Introduction

1. By Notice of Motion May 21, 2025, the Applicant Catherine Njeri Macharia seeks that the Court review and or vary portion of its judgment delivered on 21st February 2025 so as to exclude property known as LR No. 3734/264 Convent Drive, Lavington (Original No. 3734/5/151) as a property that is available for distribution in the estate of G. K. Kirima (Deceased).
2. The Application is not opposed. I take note of Section 99 of the [Civil procedure Act](#) that provides- Clerical or arithmetical mistake in judgments, decrees or orders, or errors arising therein from any accumulated slip or omission, may at any time be corrected by the court either of its own motion or on the application of any of the parties
3. It is common ground that the subject parcel of land is not registered in the name of the deceased, it is registered in the names of Stephen Kirima, Fredrick Kamau Kirima and Samuel Ndei. At paragraph 226 of the judgment it is evident that the assets excluded from distribution were those not registered in the name of the deceased.
4. Accordingly, I will correct the judgment so as to include the property known as LR No. 3734/264 Convent Drive, Lavington (Original No. 3734/5/151) at paragraph 226 of the judgment and to remove it from paragraph 240 which enumerates the properties available for distribution.
5. There shall be no order as to costs

**DATED, SIGNED AND DELIVERED ONLINE VIA MICROSOFT TEAMS AT NAIROBI THIS
4TH DAY OF JULY 2025.**

P. M. NYAUNDI



JUDGE.

In the presence of:

Mwangi Kigotho for Catherine Kirima the Applicant

Ojiambo Senior Counsel and Wesonga for Kirima Trust

Mugo, Ondieki and Prof Migai for Jane Kirima

Nyamu for Teresia Kirima, Alice Kirima and Estate of Elizabeth Kirima

Jan Mohammed Senior Counsel for Estate of Agnes Kirima

Okemwa holding brief for Ataka for Wanjau Kirima

Ruth Kirima self representing

Susan Kirima self representing

Fardosa Court Assistant

