



In re Estate of John Ezekiel Kiboit alias John Kigen - Deceased (Succession Cause 585 of 2016) [2025] KEHC 13043 (KLR) (19 September 2025) (Ruling)

Neutral citation: [2025] KEHC 13043 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
SUCCESSION CAUSE 585 OF 2016
SM MOHOCHI, J
SEPTEMBER 19, 2025
THE MATTER OF THE ESTATE OF JOHN EZEKIEL
KIBOIT ALIAS JOHN KIGEN – DECEASED**

BETWEEN

EVALINE CHERUTICH KUMIN PETITIONER

AND

SOLOMON BOIT 1ST OBJECTOR

TOM KIPKOSGEI BOIT 2ND OBJECTOR

JONATHAN BOIT 3RD OBJECTOR

AND

SERAH WANGARI CHERONO PROTESTOR

RULING

1. While the 1st – 3rd objectors have clearly set on a path of painting the Court in negative light. This Court finds the application for recusal to be of no merit.
2. The same is accordingly dismissed. Parties shall bear their own costs.
3. However owing to the antagonistic approach deployed against a Court determined to facilitate conclusion of the probate. It shall be in the interest of justice that I recuse myself to allow the proceeding to be concluded by another judicial officer.
4. While I can clearly state that patriarchy is hampering the conclusion of this probate for personal reasons I shall recuse myself.
5. All pending applications shall be dealt with by the succeeding Court.



6. This matter shall be placed for mention for directions before the presiding judge for further directions.

7. It is so ordered.

DATED, SIGNED AND DELIVERED AT NAKURU ON THIS 19TH DAY OF SEPTEMBER, 2025.

S. MOHOCHI

JUDGE

In the presence of:

Schola – Court Assistant

M/s Sabaya for administrator

Mr. Odoyo for 1st and 2nd objector

Mr. Simiyu for 3rd objector

Sarah Cheronno in person

