



In re Estate of Lintari Likirigua alias Litaru Rikirigua (Deceased) (Succession Cause 15 of 2016) [2024] KEHC 1327 (KLR) (15 February 2024) (Ruling)

Neutral citation: [2024] KEHC 1327 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
SUCCESSION CAUSE 15 OF 2016
EM MURIITHI, J
FEBRUARY 15, 2024
IN THE MATTER OF THE ESTATE OF LINTARI
LIKIRIGUA ALIAS LITARI RIKIRIGUA (DECEASED)**

IN THE MATTER OF

MARGARET NCOORO APPLICANT

AND

EUNICE KAOME RESPONDENT

REGINA KAOME RESPONDENT

GRACE KALANGI RESPONDENT

IBRAHIM NGULA RESPONDENT

RULING

1. Upon hearing the applicant’s application dated 3/8/2022, by way of oral evidence as directed by the court in its ruling dated 30/1/2023, the Court has been left with questions as to the correct subdivision of the assets necessary to implement the Confirmed Grant made herein by consent of the parties on 6/7/2021 and issued on 19/July 2021 distributing the property in the Estate named in the Schedule as LR Ithima/Antuambui/2360, LR Ithima/Antuambui/2942 and LR Ithima/Antuambui/425 to be “share[d] equally among all the beneficiaries”.
2. Two competing subdivision plans have been proposed by different mutations by the respective surveyors for the parties.
3. The Court considers that it is necessary to observe the effect of the subdivisions on the ground at the assets under distribution before a final decision is taken on the matter. The Court shall, therefore, visit the site on a date to be fixed in consultation with the Counsel and the parties. The Parties’ respective surveyors are at liberty to attend.



4. In the meantime, the *status quo* on the suit properties shall be maintained pending the hearing and determination of the application dated 3/8/2022.
5. Directions on 26/2/2024.

Order accordingly.

DATED AND DELIVERED THIS 15TH DAY OF FEBRUARY, 2024.

EDWARD M. MURIITHI

JUDGE

Appearances;

Mr. Mutembei, Advocate for the Applicant.

Mr. Omari, Advocate for the Respondents.

