



**In re CNM (Subject) (Family Miscellaneous Application E066 of 2023)  
[2024] KEHC 15383 (KLR) (4 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 15383 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
FAMILY MISCELLANEOUS APPLICATION E066 OF 2023  
JM NANG'EA, J  
DECEMBER 4, 2024  
IN THE MATTER OF AN APPLICATION FOR  
APPOINTMENT OF A GUARDIAN FOR CNM (SUBJECT)**

**IN THE MATTER OF**

**SKW ..... APPLICANT**

**RULING**

1. These directions follow this ex-parte application dated 1<sup>st</sup> July 2024. On 8/7/2024 my brother Nyaga H. M. (J) directed the applicant to file details of transactions relating to the accounts of the subject for the period he has been the manager of her affairs. Further medical evidence showing that the subject is still incapable of managing her affairs was also required to be put in for the court's directions.
2. On 11/11/2024, the applicant's Legal Counsel (Ms Mungai) told the court that the additional evidence had been filed.
3. I have perused the application and the affidavit evidence in support thereof. The applicant seeks extension of a court order issued on 22/11/2023 granting him guardianship over the subject, his mother, who was suffering from dementia and thus incapable of managing her finances and properties in general. The order was issued for an initial period of 120 days which has now lapsed. The subject is said to be still significantly incapacitated, hence the request for extension of the guardianship period. To demonstrate the subject's condition the applicant exhibits her medical examination report dated 21/8/2024. The report shows that her condition worsened from the last review done on 5/6/2023. She is completely unaware of her environment and cannot recognize her children or respond to questions.
4. As directed by the court, the subject's bank account statement dated 24<sup>th</sup> January 2024 is annexed to the instant application. It shows cash withdrawals made to pay doctors and other care givers among other necessary expenditure items.
5. None of the other children/relatives of the subject objects to the extension of the applicant's guardianship role. I find that the applicant has complied with the [Mental Health Act](#).



6. Consequently, the applicant's guardianship is extended for a further 120 days subject to any necessary renewal.

7. It is directed accordingly.

File closed in the meantime.

**J. M. NANG'EA, JUDGE.**

**RULING DELIVERED THIS 4<sup>TH</sup> DAY OF DECEMBER, 2024 IN THE PRESENCE OF:**

Ms Mungai advocate for the applicant

Court Assistant, Lepikas

**J. M. NANG'EA, JUDGE.**

