



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIVASHA**

**(CORAM: R. MWONGO, J)**

**MISC. SUCCESSION CAUSE NO. 4 OF 2019**

**IN THE MATTER OF THE ESTATE OF SIMON NJOGU GICHENI (DECEASED)**

**LUCY NJERI NJOGU.....1<sup>ST</sup> APPLICANT**

**GEORGE GATONYE NJOGU.....2<sup>ND</sup> APPLICANT**

**VERSUS**

**JOHN NJENGA NJOGU.....RESPONDENT**

**AND**

**IMANI MAAI MAHIU SELF HELP GROUP.....1<sup>ST</sup> INTERESTED PARTY**

**LAND REGISTRAR NAIVASHA SUB COUNTY.....2<sup>ND</sup> INTERESTED PARTY**

**CORRECTION OF ERRATUM IN RULING (Section 99 CPA)**

1. By a **Ruling** rendered on **28<sup>th</sup> April, 2021** by this court, I made a determination on the Applicants' application dated 30<sup>th</sup> July, 2019 and issued the following orders:

***“Disposition***

31. *Ultimately, and in light of all the foregoing, the applicants' application succeeds and orders are issued as follows:*

*a) The registration of Imani Maai Mahiu Self Help Group as the registered proprietor of **Land Parcel Longonot/Kijabe Block 4/5** is hereby cancelled.*

*b) The Land Registrar Naivasha Sub-County is hereby ordered to effect cancellation and ownership of the said Land Parcel and it shall revert to the name of the deceased Simon Njogu Gicheni to facilitate distribution of the estate amongst the beneficiaries duly recognized by law.”*

2. There is a typographical error in the Ruling at Paragraph (1) thereof in regards to the date of filing the application in court by the 1<sup>st</sup> and 2<sup>nd</sup> Applicants, which was 30<sup>th</sup> July, 2019 and not 30<sup>th</sup> February, 2019.

3. In exercise of the powers granted to this Court by and under **Section 99** of the **Civil Procedure Act** to correct accidental slips or omissions, I hereby make the aforesaid correction so that Paragraph (1) of the Ruling stands corrected to read as follows:

*“1. The application filed by Lucy Njogu and George Njogu the (1st and 2nd Applicants) dated 30th July, 2019 seeks:*

*a) Cancellation of the registration of Imani Maai Mahiu Self Help Group (1st Interested Party) as the registered proprietor of Longonot /Kijabe Block 4/5 (“the Land Parcel”);*

*b) That the Registrar Naivasha, (2nd Interested Party) be ordered to effect cancellation and ownership of the Land Parcel and that it revert to the name of the deceased Simon Njogu Gicheni.”*

4. Save for the correction herein in Paragraph 1 of the said Ruling, in all other respects the Ruling remains un-amended.

5. Orders accordingly.

**DATED AND DELIVERED AT NAIVASHA THIS 6<sup>TH</sup> DAY OF MAY, 2021**

.....

**RICHARD MWONGO**

**JUDGE**

Delivered in the presence of:

1. Q. Ogutu - Court Assistant