

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

MISCELLANEOUS CIVIL APPLICATION NO.90 OF 2014

IN THE MATTER OF THE ESTATE OF MITHANGA KURIA *alias*

MUTHANGA KURIA *alias* NJOROGE KURIA (DECEASED)

PETER KARIUKI NJOROGE.....APPLICANT

VERSUS

HANNAH NDUTA NJUGUNA.....RESPONDENT

RULING

This court has considered the application for review that has been brought by the Applicant. In the opinion of this court, the Applicant has not laid sufficient or any grounds for the court to review its decision. There are no new facts or evidence that were not before the court at the time it made its decision; there is no error apparent on the face of the record that can be rectified by this court granting the application for review. The Applicant has not placed any compelling reason that would move or make the court review and set aside its decision rendered on 25th July 2014. It appears to the court that the Applicant is laboring under misapprehension of the law hence his decision to file the application. This court will however grant him leave to appeal against the decision of this court to the Court of Appeal.

In the premises therefore, the application for review lacks merit and is hereby dismissed with costs.

DATED AT NAIROBI THIS 5TH DAY OF NOVEMBER 2014.

L. KIMARU

JUDGE