



In re Estate of the Late George Kiptoo Chebii (Deceased) (Succession Cause E007 of 2021) [2025] KEHC 13613 (KLR) (30 September 2025) (Ruling)

Neutral citation: [2025] KEHC 13613 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KABARNET
SUCCESSION CAUSE E007 OF 2021
RB NGETICH, J
SEPTEMBER 30, 2025**

IN THE MATTER OF THE ESTATE OF THE LATE GEORGE KIPTOO CHEBII (DECEASED)

BETWEEN

ANGELINE SALVIC CHEBII APPLICANT

AND

GEOFFREY KIPROTICH KIPTOO RESPONDENT

RULING

1. This is a ruling on application dated 21st August 2025 filed by Angeline Salvic Chebii seeking temporary injunction and rectification of Certificate of court issued on 25th April 2025 in accordance with Judgment of this court delivered on 25/4/2025. Reasons advanced by the Applicant are that:-
 - a. On 25th April 2024, this Honourable Court delivered a judgment specifying the manner of distribution of the estate of the late George Kiptoo Chebii.
 - b. Contrary to the express terms of the court's judgment, a certificate of confirmation of grant has been issued and acted upon in error, allocating lesser shares to the beneficiaries and exposing the estate to improper subdivision, transfer, or disposal.
 - c. If the erroneous Certificate of Confirmation of Grants is implemented or property transactions are effected thereunder, there is imminent risk of irreversible loss, dispossession and gross injustice to the rightful beneficiaries contrary to the court's orders.
 - d. The intended application seeks urgent rectification of the grant and an injunction to preserve the estate, which will be rendered nugatory unless interim protective orders are granted during vacation.
 - e. It is thus in the interest of justice that this application be certified urgent and placed before the vacation duty judge for hearing at the earliest possible opportunity.



- 2. I have considered arguments by the applicants and response by counsel for administrator. I delivered a judgment in this matter on 25th of April 2024. In the Judgment I clearly stated how the estate is to be distributed and also clearly indicated that the costs of succession was to be paid from the estate. In the process of distribution of the estate, there is no doubt that in the process of distributing the land, provision will have to be given for access roads. The provision for access road will therefore reduce the size of each beneficiary and costs of succession will also reduce entitlement to each beneficiaries.
- 3. In view of the above, I am of the view that the applicant should allow the administrator to go on with process of and distribution of the estate and thereafter give statement of accounts. The names of beneficiaries and assets to be captured correctly in the distribution.

RULING DELIVERED, DATED AND SIGNED VIRTUALLY AT KABARNET THIS 30TH DAY OF SEPTEMBER, 2025.

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RACHEL NGETICH

JUDGE

In the presence of:

Mr. Kiptoon for Respondent.

Applicant present.

CA, Elvis.

