



**In re Estate of Hellen Chepngeno Kiplebel alias Hellen Chepngeno Biator
alias Chepngeno Kiplebel (Deceased) (Succession Cause E192 of 2025)
[2025] KEHC 14067 (KLR) (Family) (2 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 14067 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
SUCCESSION CAUSE E192 OF 2025
PM NYAUNDI, J
OCTOBER 2, 2025**

**IN THE MATTER OF THE ESTATE OF HELLEN CHEPNGENO KIPLEBEL ALIAS
HELLEN CHEPNGENO BIATOR ALIAS CHEPNGENO KIPLEBEL (DECEASED)**

RULING

Introduction

1. The Applicant is aggrieved by the Order issued by this Court on 15th July, 2025 directing the Land Registrar, Uasin Gishu County to dispense with the requirement to produce the original title for Eldoret Municipality Block No. 14/751 so to enable the final transmission of the Estate.
2. The Notice of Motion is dated 15th July, 2025 and is presented under Article 25 (c) and Article 50 of *the Constitution* of Kenya, Rule 63 of the Probate and Administration Rules, Order 51 Rules 1 and 15 of the Civil procedure Rules and Sections 1A, 1B & 3A of the *Civil procedure Act*.
3. On 17th July, 2025, I directed that the Application be served on the Respondent and the Respondent file response within 14 days of service further that the application would be canvassed via written submissions. There is an affidavit of service on record sworn on 12th September, 2025, averring that the Respondent was served on the 10th September, 2025. No response has been filed by the Respondent.
4. The application is unopposed, I have considered the application on its merits, I note that the delay in filing the response was occasioned by the fluctuation and interruptions on the judiciary e-filing platform. Having regard to the draft affidavits attached to the Notice of Motion, I am of the view that it would be in the interests of justice that the application dated 21st June, 2025 be heard on its merits.
5. Accordingly, I will proceed to set aside the orders of 15th July 2025. The Respondent (Application dated 21st June 2025) to file responses within 7 days. The Applicant is granted leave to file further affidavit if necessary within 7 days of service.



6. The matter will be mentioned on 4th November 2025 to confirm compliance and take further directions.
7. On account of the relationship between the parties, there shall be no order as to costs.

It is so ordered

SIGNED, DATED AND DELIVERED IN VIRTUAL COURT THIS 2ND DAY OF OCTOBER, 2025.

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P. M. NYAUNDI

HIGH COURT JUDGE

In the presence of:

Court Assistant – Fardosa

Mwangi holding brief for Ms. Makori for Applicant

