



**Magere & another v Nyang'ara (Environment and Land Appeal
E012 of 2023) [2025] KEELC 4447 (KLR) (12 June 2025) (Ruling)**

Neutral citation: [2025] KEELC 4447 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT KISII
ENVIRONMENT AND LAND APPEAL E012 OF 2023**

**M SILA, J
JUNE 12, 2025**

BETWEEN

RONALD SAGWE MAGERE 1ST APPELLANT

ALFRED MARTIN MAGERE 2ND APPELLANT

AND

MARGARET NYANG'ARA RESPONDENT

(Application for substitution of deceased respondent; application allowed)

RULING

1. The application before me is that dated 21 March 2025 filed by the appellants. The appellants aver that the respondent in this appeal is deceased, and they seek orders to have her substituted with Douglas Mauti, Vincent Omboga and Gladys Moraa Mariba. In the supporting affidavit, sworn by the 1st appellant, he has deposed that the said three persons have been appointed as administrators of the estate of the deceased respondent for purposes of this appeal. He has annexed a grant ad litem dated 19 February 2025 and issued on 6 March 2025, by the Chief Magistrates' Court Kisii, in the suit Kisii Miscellaneous Succession Cause No. E009 of 2025, in the matter of Margaret Nyangara (deceased).
2. There is nothing filed to oppose the motion and on my part I see no reason why I should not allow it. It is hereby allowed. I order that the deceased respondent be substituted with Douglas Mauti, Vincent Omboga, and Gladys Moraa Mariba, and the appeal to proceed to its logical conclusion.
3. Orders accordingly.

DATED AND DELIVERED THIS 12 DAY OF JUNE 2025

JUSTICE MUNYAO SILA

JUDGE, ENVIRONMENT AND LAND COURT



AT KISII

