



REPUBLIC OF KENYA



KENYA LAW
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**In re Estate of Jared Koita Cheteri - (Deceased) (Succession Cause
153 of 2002) [2025] KEHC 19036 (KLR) (18 December 2025) (Ruling)**

Neutral citation: [2025] KEHC 19036 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
SUCCESSION CAUSE 153 OF 2002
RN NYAKUNDI, J
DECEMBER 18, 2025**

RULING

1. Before this Court are summons for amendment of certificate of confirmation of grant seeking for orders that:
 - a. That the certificate of confirmation of grant issued on 24th April 2025 to Lukas Makunda Koita, Joseph Munyanya Koita, James Chiteri Koita and Risper Namunyi Koita be rectified on the parcel of land to read L. R. No. Marama Lunza 867, Marama Lunza 801, LR NO. 533/10/11 (Molo Township) and Plot No. 69.
 - b. That the costs be in the cause.
2. Which application is supported by the affidavit of Lucas Makunda Koita one of the administrators one of the administrators herein, sworn and filed and is premised on the following grounds:
 - a. That the certificate of confirmation of grant was issued on the 24th April 2025.
 - b. That two of the administrators have died, namely James Chiteri Koita and Risper Namunyi Koita.
 - c. That the deceased administrators be replaced by Geoffrey Alwanga Koita and Leonard Ogola Koita
 - d. That this application is brought expeditiously and in good faith.
3. The application is also supported by an affidavit sworn by the applicant who deposed as follows:
 - a. That we were granted Letters of Administration and Certificate of Confirmation of grant dated 24th April 2025 which we now seek to amend.
 - b. That two of our beneficiaries/Administrators are now deceased.
 - c. That we hereby seek orders for amendment of the certificate of confirmation of grant and change of mode of distribution on the parcels of lands.



- d. That this affidavit is sworn in support of my application for amendment of certificate of confirmation of Grant.
 - e. That this application is made in good faith and in the interests of justice.
 - f. That the contents of this affidavit are true to the best of my knowledge, information and belief.
4. A duly signed consent on the amended schedule of distribution has been presented as follows:



S/No.	Beneficiary	Description of property	Share
Marama/lunza/867			
	Lucas Makunda Koita	5 Acres	
	Joseph Munyanya Koita	2.5 Acres	
	Gladys Indimuli Koita	2.5 Acres	
	Celestine Mukosi Chiteri	2.5 Acres	
	Petronilla Rodha	2.5 Acres	
	Leonida Ogola Koita	1.0 Acres	
Plot No. 69			
	Lucas Makunda Koita	Equally	
	Joseph Munyanya Koita	Equally	
	Gladys Indimuli Koita	Equally	
	Celestine Mukosi Chiteri	Equally	
	Petronilla Rodha	Equally	
	Leonida Ogola Koita	Equally	
	Wyclife Amukoya Koita	Equally	
	Samuel Chiteri Koita	Equally	
	Geofrey Alwanga Koita	Equally	
	John Nashisakha Koita	Equally	



Stephen Koita	Equally
Christopher Okusimba Koita	Equally
Plot No. Marama/lunza/801	
Wycliffe Amukoya Koita	2.01 Acres
Samuel Chiteri Koita	2.01 Acres
Geofrey Alwanga Koita	2.01 Acres
John Nashisakha Koita	2.01 Acres
Stephen Koita	2.01 Acres
Christopher Okusimba Koita	2.01 Acres
L.r No. 533/10/11 (molo Township)	
Lucas Makunda Koita	Equal Share
Joseph Munyanya Koita	Equal Share
Gladys Indimuli Koita	Equal Share
Celestine Mukosi Chiteri	Equal Share
Petronilla Rodha	Equal Share
Leonida Ogola Koita	Equal Share
Wyclife Amukoya Koita	Equal Share
Samuel Chiteri Koita	Equal Share
Geofrey Alwanga Koita	Equal Share



John Nashisakha Koita	Equal Share
Stephen Koita	Equal Share
Christopher Okusimba Koita	Equal Share

Decision

5. This court has been approached to amend the certificate of confirmation of grant based on grounds that the two of the administrators James Chiteri Koita and Risper Namuyeri Koita are since deceased. That in furtherance of that amendment a change of the mode of distribution be effected as per the above mode of distribution. The application law in Section 76 of the *Law of Succession Act* as read with Rule 73 (1) of the Probate and Administration Rules. What this means is that the Certificate of Confirmation of Grant which was issued on 24th April 2025 has become inoperative for reason of the death of the Administrators duly appointed by this Court under Section 66 of the same Act.
6. It is therefore necessary for this Court to appoint new administrators under Section 66 of the Act to complete the transmission of the estate. It is for these reasons that Geoffrey Alwanga Koita and Leonida Ogola Koita be appointed conditions on them filing and signing for P&A 80, P&A 4, P&A 5, P&A 12 and P&A 57 for purposes of this court to proceed and issue an amended Certificate of confirmation of grant as per law established.
7. As a consequence, thereof, the Deputy Registrar of the High Court shall issue the forms aforementioned above to the new administrators to fill and file with the registry to trigger the issuance of the amended certificate of confirmation of grant. The status conference for compliance on 16th of January 2026. It is so ordered.

DATED, SIGNED AND DELIVERED VIA CTS AT ELDORET THIS 18TH DAY OF DECEMBER 2025

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R. NYAKUNDI
JUDGE

