

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KERICHO
SUCCESSION CAUSE NO. 39 OF 2005
IN THE MATTER OF THE ESTATE OF THE LATE
TAPNYOBII CHEMURER LELOYET (DECEASED)

WILLIAM KIMIBEI KOROMICHA.....1ST
PETITIONER

JACKSON KIPYEGON A. KOROMICHA.....2ND
PETITIONER

RULING

1. The subject matter of this ruling is the motion dated 5th March, 2025 taken out by Jackson Kipyegon Arap Koromicha, the Applicant herein in which he sought for the following Orders:-

(a) THAT this Honourable Court review the Letters of Confirmation of Grant of the Estate of Tapnyobii Chemurer Leloyet (Deceased) issued on the 9th day of July, 2014 to WILLIAM KIMIBEI KOROMICHA (now deceased) and JACKSON KIPYEGON A. KOROMICHA in this matter dated 11th July, 2014.

(b) THAT the certificate of Confirmation of Grant issued on 9th July, 2014 and dated 11th July, 2014 be amended by removing the name of WILLIAM

KIMIBEI KOROMICHA (now deceased) as Co-Petitioner and put GRACE CHEBET KOROMICHA as the 1st Petitioner.

(c) THAT Land Parcel L.R. No. KERICHO/KYOGONG/183 be included in the Confirmed Certificate of Confirmation of Grant as it also belonged to TAPNYOBII CHEMURET LELOYET (deceased).

(d) THAT the Estate of TAPNYOBII CHEMURER LELOYET (deceased) be distributed in accordance with the mode of distribution set out in the annexed Affidavit of JACKSON KIPYEGON A. KOROMICHA.

(e) THAT the Honourable Court do issue an Amended Certificate of Confirmation of Grant Intestate of the Estate of TAPNYOBII CHEMURER LELOYET (Deceased) to GRACE KOROMICHA and JACKSON KIPYEGON A. KOROMICHA.

(f) THAT the Court be pleased to direct Bomet Land Registrar to lift any restrictions entered over L.R. KERICHO/KYOGONG/183.

(g) THAT such further Orders and/or directions be given to the intent that the Estate of TAPNYOBII CHEMURER LELDAYET (Deceased) be fully and finally administered.

(h) THAT the costs of this Application be in the cause.

2. The Applicant swore an Affidavit he filed in Support of the Motion. A cursory look at the prayers will reveal that the main Order sought is an Order for review of the Certificate of Confirmation of Grant in respect of the Estate of Tapnyobii Chemurer Leldayet, deceased.
3. The Applicant put forward two main grounds in support of the Application. **First**, is that the 1st Petitioner namely: William Kimibei Koromicha is deceased leaving part of the Estate undistributed. **Secondly**, it is pointed out that L.R. No. Kericho/Kyogong/183 was excluded from distribution pending the outcome of the Protest proceedings.
4. It is the submission of the Applicant that the reasons given are good and sufficient cause for review and amendment of the said Certificate of Confirmation of Grant.

5. It is apparent that the Grant of Representation was issued and later confirmed in the joint names of William Kimibei Koromicha (now Deceased) and Jackson Kipyegon A. Koromicha (Applicant). It is now clear that William Kimibei Koromicha is deceased.
6. The Order for review sought by the Applicant is not the appropriate remedy. What is clear is that the Certificate of Confirmation of Grant issued jointly to the deceased and the applicant has been rendered useless and inoperative by the death of William Kimibei Koromicha. The appropriate order to issue in such a case is to have the Certificate of Confirmation of Grant revoked.
7. I hereby dismiss the instant motion for being inappropriate.
8. However, in exercise of this court's inherent power and *ex debito justitiae* order that the Grant issued and the Certificate of Confirmation of Grant dated 11th July, 2014 be revoked.
9. A fresh Grant be issued in the Joint Names of Jackson Kipyegon A. Koromicha and Grace Chebet Koromicha.
10. The Co-Administrators to proceed and apply for the Grant to be Confirmed forthwith notwithstanding that six

months have not lapsed from the date of issuance of the fresh Grant.

Dated, signed and delivered at Kericho this 18th day of December, 2025.

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J. K. SERGON
JUDGE

In the Presence of:-

C/Assistant - Rutoh

Matwere for Petitioners