



REPUBLIC OF KENYA



KENYA LAW
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In re Estate of Peter Kibitok Choge - Deceased (Succession Cause E211 of 2025) [2026] KEHC 1774 (KLR) (16 February 2026) (Ruling)

Neutral citation: [2026] KEHC 1774 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
SUCCESSION CAUSE E211 OF 2025
RN NYAKUNDI, J
FEBRUARY 16, 2026**

IN THE MATTER OF THE ESTATE OF PETER KIBITOK CHOGE - DECEASED

BETWEEN

PETER KIBITOK CHOGE CITOR

AND

ABDIKADIR BITOK 1ST CITEE

SALOME JEMUTAI BARTONJO 2ND CITEE

JANE SANG 3RD CITEE

DORCAS RUTO 4TH CITEE

RULING

1. Before this Court is an Application dated 4th November 2025 on Letters of Administration by Peter Kibitok Choge who cited Abdikadir Bitok, Salome Jemutai Bartonjo, Jane Sang and Dorcas Ruto who are the sons and daughters of the deceased.
2. The Application is supported by an Affidavit by the Applicant who deponed as follows;
 - a. That this proceedings relate and concern the estate of Peter Kibitok Choge who died intestate in 1996 leaving behind;-
 - a) Abdikadir Bitok Son Adult
 - B) Salome Jemutai Bartonjo Daughter Adult
 - C) Jane Sang Daughter Adult
 - D) Dorcas Ruto Daughter Adult



- E) Peter Kibitok Choge Grandson Adult
- F) Lynn Chepchumba Choge Granddaughter Adult
- G) PKC Grandson Minor
(e, f & g Children of Late Joseph Kimurgor Choge)

- b. That the said persons cited and being the dependents of the deceased house have shared the plot amongst themselves without taking out letters of administration and denied others who also have the right to own or have a share of the estate of the deceased. They have also declined to take out letters of administration of the estate of the deceased.
 - c. That I am one of the beneficiaries and grandson to the deceased my late father being the son of the deceased herein and I am desirous of obtaining letters of administration of the estate for and on behalf the other beneficiaries of the deceased.
 - d. That the facts herein deposed to are known to me of my personal knowledge information and belief.
3. In response to the Application one Citee by the name Salome Jemutai Bartonjo filed a Reply to the Citation dated 17th November 2025 who stated and deponed as follows;
- a. That I am a female adult of sound mind and the 2nd citee herein hence competent to swear this affidavit.
 - b. That I have read the citation and its content explained to me by my Advocates.
 - c. That the citation is supeflours as there is a succession cause in the Estate of my Late father Kibitok Choge being Eldoret succession E004 OF 2016.
 - d. That further to the foregoing the Citor is a grandchild of the Estate of the Deceased,
 - e. That the citation serves no important functions as there is an existing Succession Cause.
 - f. That what is deponed herein is true and correct to the best of my information and belief.

Decision

- 4. From a Status Conference held on 19th January 2026 learned counsel Mr. Ketter informed the Court that the Citation has been compromised rendering the current proceedings in case number E211 of 2025 moot. The Citor is therefore to proceed to file any suit papers in the substantive Succession Cause.
- 5. This file be marked as closed.

GIVEN UNDER MY HAND AND THE SEAL OF THIS 16TH DAY OF FEBRUARY, 2026

.....

R. NYAKUNDI
JUDGE

