



**In re Estate of the Late Too (Deceased) (Succession Cause  
6 of 2020) [2026] KEHC 2364 (KLR) (19 February 2026) (Ruling)**

Neutral citation: [2026] KEHC 2364 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KERICHO  
SUCCESSION CAUSE 6 OF 2020  
JK SERGON, J  
FEBRUARY 19, 2026**

**IN THE MATTER OF THE ESTATE OF THE LATE ERNEST KIPKOECH TOO (DECEASED)**

**BETWEEN**

**PHILOMENA BOCHABERI KOECH ..... OBJECTOR**

**AND**

**MOSES NGENO ..... 1<sup>ST</sup> ADMINISTRATOR**

**LIVINGSTONE KIPKORIR KOECH ..... 2<sup>ND</sup> ADMINISTRATOR**

**RODAH CHELANGAT TOO ..... 3<sup>RD</sup> ADMINISTRATOR**

**RULING**

1. Moses Ngeno, the 1<sup>st</sup> Administrator/Applicant filed the summons dated 25<sup>th</sup> August, 2025 in which he sought for an Order authorizing and directing the Deputy Registrar of this Court to execute the transaction Form required for purposes of effecting the final distribution of the Estate of Ernest Kipkoech Too, deceased in compliance with the Certificate of Confirmation of Grant dated 14<sup>th</sup> December, 2023.
2. The Applicant swore an Affidavit he filed in support of the Summons. The application was served but it did not elicit any response.
3. I have considered the grounds set out on the face of the Summons. I have equally considered the facts deponed in the Supporting Affidavit. It is the averment of the Applicant that the 2<sup>nd</sup> Administrator has refused and or neglected to sign the transfer forms to effect final distribution of the Estate as per the Certificate of confirmation of Grant. The Applicant further averred that he has severally approached the 2<sup>nd</sup> Administrator in abide to sign the transfer forms in vain.
4. This Court is enjoined by law to ensure that the Certificate of Confirmation of Grant is implemented and have the succession process completed. In instances where an Administrator fails to execute the



necessary documents, then the Court can step in and authorize the Deputy Registrar and or the Executive Officer to execute documents in place of the uncooperative Administrator.

5. This Court is convinced that instant Application is merited. Consequently, the Summons dated 25<sup>th</sup> August, 2025 is allowed as prayed. Each party to bear his own costs.

**DATED, SIGNED AND DELIVERED AT KERICHO THIS 19<sup>TH</sup> DAY OF FEBRUARY, 2026.**

.....

**J. K. SERGON**

**JUDGE**

In the Presence of:-

C/Assistant – Rutoh

No Appearance for the Petitioner

Biko for the Objector

