

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA

AT VOI

CIVIL APPEAL NO. E064 OF 2025

PETER **GITIHA**

KAMAU.....APPELLANT/APPLICANT

=VERSUS=

MAGDALINER TABUTANY KELWON AND

ELIJAH KELWON CHEBURET (Suing as the Administrators

of the Estate of the Late ELIJAH KELWON

CHEBURET.....1ST RESPONDENT

CHOGA CHINDORO.....2ND

RESPONDENT

JOSHUA MATHENGE.....3RD

RESPONDENT

EAST AFRICAN INSTITUTE OF AFRICAN STUDIES.....4TH

RESPONDENT

EAST NCBA BANK KENYA PLC.....5TH

RESPONDENT

JOSEPH MUIRI KARIUKI.....6TH

RESPONDENT

RULING

1. The application dated 11th February 2026 be and is hereby allowed.
2. The Appellant to serve the Interested Party with the Record of Appeal and submissions.
3. Mention on 3rd March 2026 for a judgment date. The Appellant and Respondents are granted leave to file any rejoinder if need be.

Dated, signed and delivered this 20th day of February 2026 in open court at Voi High Court.

**ASENATH ONGERI
JUDGE**

In the presence of:-

Court Assistant: Mabishi/Millicent

Mr. Kinyanjui for the Appellant

Mr. Arusei for the 1st Respondent

Mr. Kofura for the Proposed Interested Party