



**In re Estate of Timothy Kiprono Langat (Deceased) (Succession Cause
43 of 2001) [2026] KEHC 4414 (KLR) (31 March 2026) (Ruling)**

Neutral citation: [2026] KEHC 4414 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERICHO
SUCCESSION CAUSE 43 OF 2001**

JK SERGON, J

MARCH 31, 2026

IN THE MATTER OF THE ESTATE OF TIMOTHY KIPRONO LANGAT (DECEASED)

IN THE MATTER OF

SOFIA CHEBET LANGAT APPLICANT

RULING

1. Before this court is a Summons for Rectification of Grant dated 15TH December 2025, filed by Sofia Chebet Langat, the Administrator of the estate of the late Timothy Kiprono Langat (the “Deceased”). The application is brought under Section 74 of the *Law of Succession Act* (Cap 160) and Rule 43 of the Probate and Administration Rules.
2. The substantive prayer in the application is for the rectification of the Certificate of Confirmation of Grant issued on 19th November 2019, to include Land Parcel No. Elburgon/Arimi Ndoswa Block 6/63 (Saptet) as part of the estate of the deceased. The applicant also seeks a clarification that only the deceased’s half-share in Plot No. 90 Kericho Municipality (Kapkatet Market) forms part of the estate, the other half being owned by a co-owner.
3. The application is supported by the affidavit of Sofia Chebet Langat, sworn on even date and a further affidavit sworn on 5th March 2026.
4. The applicant depones that she is the duly appointed administrator of the deceased’s estate, having obtained a grant that was confirmed on 19th November 2019.
5. She states that at the time of confirmation, Land Parcel No. Elburgon/Arimi Ndoswa Block 6/63 (Saptet) was inadvertently omitted from the list of the deceased’s assets. She asserts that this parcel remains part of the unadministered estate and should be included.
6. Regarding Plot No. 90 Kericho Municipality (Kapkatet Market), she avers that the deceased was a co-owner with one Stanley Kirui. An official search (marked “SCL-2”) is annexed to confirm this co-



ownership. She therefore seeks to have the confirmed grant varied to reflect that only the deceased's half-share in the plot is available for distribution.

7. In her further affidavit, the applicant lists the eight (8) beneficiaries of the estate and proposes that the newly included parcel be held by her in trust for herself and the other seven beneficiaries. She states that no party will be prejudiced by the orders sought.
8. I have carefully considered the application, the supporting affidavits, and the applicable law. The main issue for determination is whether the applicant has made a case for the rectification of the confirmed grant.
9. Section 74 of the *Law of Succession Act* provides;

“Errors in names and descriptions, or in setting out the time and place of the deceased's death, or the purpose in a limited grant, may be rectified by the court, and the grant of representation, whether before or after confirmation, may be altered or amended accordingly.”
10. Rule 43(1) of the Probate and Administration Rules further empowers the court to rectify a grant on the application of the administrator or any person interested.
11. The court's power to rectify a grant is essentially to correct errors that appear on the face of the grant or to include assets that were omitted by mistake. The applicant has clearly demonstrated that the asset, Land Parcel No. Elburgon/Arimi Ndoswa Block 6/63 (Saptet), was available for distribution at the time of confirmation but was inadvertently left out.
12. Similarly, the applicant has provided evidence that Plot No. 90 Kericho Municipality (Kapkatet Market) is co-owned. The confirmation of the grant should be rectified to accurately reflect that it is only the deceased's half-share that constitutes the estate's asset. This is a matter of correctness and clarity in the administration of the estate.
13. The applicant, as the administrator, has proposed a mode of distribution for the newly included parcel, which is to hold it in trust for all the beneficiaries. The application does not indicate any objection from the other beneficiaries. The proposal is reasonable and ensures that the estate is administered for the benefit of all entitled parties.
14. For the reasons set out above, I find that the Summons for Rectification of Grant is merited. The application is hereby allowed in the following terms;
 - a. The Certificate of Confirmation of Grant issued to Sofia Chebet Langat on 19th November 2019 is hereby rectified to include Land Parcel No. Elburgon/Arimi Ndoswa Block 6/63 (Saptet) as part of the estate of Timothy Kiprono Langat (Deceased).
 - b. The said asset, Land Parcel No. Elburgon/Arimi Ndoswa Block 6/63 (Saptet), shall be held by Sofia Chebet Langat in trust for herself and the other beneficiaries of the estate, namely: Charles Kipkorir Rono, Eva Chepkemoi Langat, Annah Chepkoech Ngetchi, Leonard Kiprotich Rono, Penina Chelangat Langat, Gilbert Kipkurui Rono, and Rose Chepkoech Langat.
 - c. The confirmed grant is further rectified to reflect that only the deceased's half (½) share in Plot No. 90 Kericho Municipality (Kapkatet Market) forms part of the estate available for distribution.
 - d. No orders as to costs.



DATED, SIGNED AND DELIVERED AT KERICHO THIS 31ST DAY OF MARCH, 2026

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J. K. SERGON

JUDGE

In the presence of:

C/Assistant – Rutoh/Naomi

Sofia Chebet Langat – Present in Person

