



REPUBLIC OF KENYA



In re Estate of Kiprotich Arap Ngeno (Deceased) (Succession Cause E021 of 2025) [2026] KEHC 5431 (KLR) (28 April 2026) (Ruling)

Neutral citation: [2026] KEHC 5431 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BOMET
SUCCESSION CAUSE E021 OF 2025
JK NG'ARNG'AR, J
APRIL 28, 2026**

BETWEEN

BENSY CHEPKEMOI PETITIONER

AND

CAROLINE CHERONO CHEPKWONY 1ST PROTESTOR

JOSEPHINE CHEPKEMOI NGENO 2ND PROTESTOR

RULING

1. In this matter, a Grant was issued to the Petitioner on 24th April 2025. The Objectors filed an Objection dated 26th May 2025 objecting to the making of the Grant stating that as daughters of the deceased, they ranked higher in priority to the Petitioner who was the deceased's granddaughter. In response, the Petitioner filed a Preliminary Objection dated 3rd June 2025. On 24th July 2025, this court referred the matter for Mediation.
2. On 16th December 2025, D. Kipngetich, Advocate for the Objectors informed the court that a full settlement had been agreed as per the Mediation Settlement Agreement filed in court on 6th August 2025. The Petitioner and the Objector's Advocate agreed that the Mediation Settlement Agreement could be adopted as an order of the court and the same was adopted by this court on 16th December 2025.
3. The Petitioner filed her Summons for Confirmation of the Grant on 24th October 2025 where she attached her proposed mode of distribution. The 1st Protestor filed her Affidavit of Protest dated 22nd February 2026 stating that the Petitioner's proposed mode of distribution did not conform to the mode of distribution contained in the Mediation Settlement Agreement.
4. As earlier stated, the Mediation Settlement Agreement filed on 6th August 2025 was adopted as an order of this court. The same has not been set aside which meant that it remained a valid and enforceable order.



5. Flowing from the above, it is my finding that the deceased's estate is to be distributed as per the Mediation Settlement Agreement filed on 6th August 2025. A Certificate of Confirmation to issue.

RULING DELIVERED, DATED AND SIGNED AT BOMET THIS 28TH DAY OF APRIL, 2026.

HON. JULIUS K. NG'ARNG'AR

JUDGE

Ruling Delivered in the presence of;

Susan/Siele Court Assistant

D. Kipnetich for Protestor

Petitioner – present

