



**REPUBLIC OF KENYA**  
**IN THE ENVIRONMENT AND LAND COURT OF KENYA**

**AT NAKURU**

**CIVIL APPEAL NO 155 OF 2006**

**CECILIA NJOKI MAINA.....APPELLANT**

**VERSUS**

**SAMUEL KANGETHE KIMANI ....RESPONDENT**

**RULING**

**(Application for substitution; application allowed)**

1. The application before me is that dated 2nd April 2015 filed by one Beth Mary Kimani. She has described herself as widow to the respondent to this appeal. She holds a grant of letters of administration for the estate of Samuel Kangethe Kimani, the respondent in this appeal. Through this application, she wishes to be substituted as respondent in place of Samuel Kangethe Kimani who is deceased. The application is brought under the provisions of Order 24 which allows the substitution of a deceased litigant.

2. I have gone through the application and supporting affidavit. I have seen attached to her supporting affidavit, the grant of letters of administration showing that she is the legal representative of the deceased.

The application is not opposed and I have no reason to disallow it. I allow the same and direct that Beth Mary Kimani, be substituted for the deceased respondent. There shall be no orders as to costs.

**Dated, signed and delivered in open court at Nakuru this 7<sup>th</sup> July 2015.**

**MUNYAO SILA**

**JUDGE**

**ENVIRONMENT & LAND COURT**

**AT NAKURU**

**In presence of**

Mr Morara present for respondent in the appeal/applicant.

Appellant present acting in person

CA: Janet

**MUNYAO SILA**

**JUDGE**

**ENVIRONMENT & LAND COURT**

**AT NAKURU**