



**Mwangi v Kamande & another (Civil Application
E306 of 2024) [2025] KECA 1312 (KLR) (18 July 2025) (Order)**

Neutral citation: [2025] KECA 1312 (KLR)

**REPUBLIC OF KENYA
IN THE COURT OF APPEAL AT NAIROBI
CIVIL APPLICATION E306 OF 2024
F TUIYOTT, JA
JULY 18, 2025**

BETWEEN

GATHUKU KAMAU MWANGI APPLICANT

AND

HARRISON GATHUKU MUHIA 1ST RESPONDENT

JOSEPH PETER KAMANDE 2ND RESPONDENT

(Being an application for extension of time to bring an application of substitution out of time in an intended appeal against the judgment of the High Court of Kenya at Nairobi, Family Division (Musyoka, J.) delivered on 20th September 2018 in Succession Cause No. 2775 of 2004)

ORDER

1. When I settled down to craft a Ruling herein, it became apparent to me that it will not be an easy task as the affidavit to the application dated 12th June 2024 drawn by the applicant, a lay person, has incomplete documents. So I make the following orders;
 1. The applicant shall within 14 days hereof file and serve a further affidavit attaching the following;
 - a. A copy of the Ruling of Murgor J.A dated 5th May 2020 referred to in paragraph 2 of the said affidavit.
 - b. A complete copy of the notes of this Court of 28th February 2023 in Civil Appeal (Application) No. 359 of 2019 and a complete copy of the order of the Court of that day.



2. As I require certain clarifications regarding the application and replying affidavit, the parties and counsel shall make a virtual appearance before me on 18th September, 2025 at 9.00 a.m. This is a far date as I am currently on medical leave.

DATED AND DELIVERED AT NAIROBI THIS 18TH DAY OF JULY 2025.

F. TUIYOTT

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JUDGE OF APPEAL

I certify that this is a true copy of the original.

Signed

DEPUTY REGISTRAR.

