



REPUBLIC OF KENYA



KENYA LAW
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**M'mbogori v Njeru (Environment & Land Case E004 of 2023)
[2025] KEELC 668 (KLR) (19 February 2025) (Ruling)**

Neutral citation: [2025] KEELC 668 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MERU
ENVIRONMENT & LAND CASE E004 OF 2023
BM EBOSO, J
FEBRUARY 19, 2025**

BETWEEN

ANGELO KIMATHI M'MBOGORI PLAINTIFF

AND

ESTHER WANGUI NJERU DEFENDANT

RULING

1. I have looked at and considered the application dated 18/2/2025. Counsel for the applicant has invited the court to give directions on the application. Counsel concedes that the applicant has not yet obtained a grant under the *law of Succession Act*. His petition is still pending in the Succession Court.
2. In the absence of a grant, the application dated 18/2/2025 has been brought prematurely. The application is clearly incompetent and cannot be cured through subsequent obtention of a grant.
3. For the above reason, the application dated 18//2025 is struck out. The estate shall be at liberty to bring a competent application once a grant is issued. There shall be no order a to costs.

DATED, SIGNED AN DELIVERED AT MERU THIS 19TH DAY OF FEBRUARY, 2025

B M EBOSO [MR]

JUDGE

