



**In re LWK (Subject) (Miscellaneous Civil Application E069 of 2023)  
[2024] KEHC 375 (KLR) (Civ) (25 January 2024) (Judgment)**

Neutral citation: [2024] KEHC 375 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)  
CIVIL  
MISCELLANEOUS CIVIL APPLICATION E069 OF 2023  
HK CHEMITEI, J  
JANUARY 25, 2024**

**IN THE MATTER OF**

**WGK ..... APPLICANT**

**JUDGMENT**

1. In her petition dated 29<sup>th</sup> March 2023 the applicant who is a sister of the subject prayed for the following orders;
  - (a) That the subject LWK be adjudged to be a person suffering from mental disorder under section 26(1) of the *Mental Health Act* Cap 248 Laws of Kenya and this honourable court do entrust unto the petitioner the maintenance and general provisions of LWK.
  - (b) That the petitioner be appointed as the guardian of LWK and the manager of LWK estate which includes movable and immovable property.
2. The application is supported by the applicants sworn affidavit dated the same date.
3. The court was in a position to see the subject online on 14<sup>th</sup> December 2023. The court has equally perused the medical documents as contained in the supporting affidavit which included the reports by Prof Erastus Omayo, Dr. Juzar Hooker, Dr. Alphonse Nabiswa among others.
4. The court has equally perused the affidavit of EKK the brother to the subject and the applicant herein.
5. In view of the details contained in the said reports the application in is meritorious and the same is hereby allowed as prayed.
6. Costs shall be in the cause.

**DATED SIGNED AND DELIVERED VIA VIDEO LINK AT NAIROBI THIS 25TH DAY OF  
JANUARY 2024.**



**H K CHEMITEI.**  
**JUDGE**

