Purchaser Affidavit on Registration and Absence of a Hearing

Educational sample 342 | Mombasa

Educational reconstruction from a reported Kenyan decision. Newly drafted wording, not an original court filing or a matter handled by our team. Specimen identities are bracketed. Adapt to genuine facts, current law, jurisdiction and court directions before signing, swearing or filing.

Reconstructed formal document

REPUBLIC OF KENYA

IN THE HIGH COURT AT MOMBASA

SUCCESSION CAUSE NO [reference]

IN THE ESTATE OF [DECEASED]

AFFIDAVIT

1. I am [purchaser or authorised officer] and identify the authority, purchase documents and registry records at [exhibit pages]. The affected parcels are [bracketed identifiers]. My claimed acquisition is stated without asking this affidavit alone to adjudicate every challenge to the title.

2. The relevant agreement, transfer and registration dates are [actual dates]. Certified current searches and instruments establish what was registered and when. Missing conveyancing or payment records are disclosed as missing rather than treated as available merely because registration occurred.

3. I learned of the title-related succession order on [date and circumstances]. The steps taken to obtain the ruling and apply for review are [records]. Any delay is explained truthfully. Conflicting dates in a reported text are checked against the authentic court file.

4. The court and service records show [actual joinder and notification position]. I was not heard on [specified issue], if supported by that record. I disclose any earlier participation or notice rather than asserting complete ignorance despite contrary documents.

5. I seek a hearing before any adverse determination of the registered interests. I understand that review of the title-related directions does not restore the revoked grant or determine final ownership. All known related suits, appeals and persons affected are identified for lawful service.

SWORN by [deponent] at [place] on [date]. Signature [ ]. BEFORE ME [competent authorised oath administrator]. This specimen has not been sworn.

Use and evidence notes

Complete the deponent identity, authority and actual personal-knowledge or identified-information basis. Index and authenticate genuine exhibits; missing exhibits are not supplied by this text. An affidavit is evidence, not a vehicle for new unpleaded relief or invented expert conclusions. Obtain any required leave for a further affidavit and complete a valid jurat before a competent authorised person. This specimen is unsworn. Apply the Probate and Administration Rules and the actual succession Court directions, rather than assuming ordinary civil motion procedure. Protect any minor or person lacking capacity.

Supporting material: [date]; [author or custodian]; [description]; [bundle page]; [authenticating witness]; [admission or permission]. Attach genuine records only. This public specimen contains no exhibits, signatures, personal identifiers or sworn declaration.

Source and procedural limits

A third-party purchaser sought review of a 27 May 2022 succession ruling that revoked a grant and directed cancellation of resulting land titles. The purchaser asserted registered interests in two subdivisions and lack of a hearing before those title-related orders.

Review succeeded only to the extent of the title-revocation orders and associated Land Registrar service direction. The grant revocation was not reversed, ownership was not finally determined and parties were left to the competent forum. Each party bore its costs.

Review under the probate procedure and imported review power must be distinguished from appeal and a land-title trial. The reported text includes inconsistent dates; verify the certified 2022 ruling, application and extracted orders. Lack of a hearing supports only the properly established review relief, not automatic restoration of the grant or proof of a valid purchase.

[2025] KEHC 5180 (KLR) - 11 April 2025. Source decision: https://sheriahub.com/cases/ke/caselaw/in-re-estate-of-ali-karisa-wanguma-aka-ali-mohamed-deceased-2025-kehc-5180-klr

Reproduced primary text checked: https://sheriahub.com/cases/ke/caselaw/in-re-estate-of-ali-karisa-wanguma-aka-ali-mohamed-deceased-2025-kehc-5180-klr

The original decision may identify participants. The specimen brackets identifying details. A source judgment does not prove this reconstruction was filed, an allegation succeeded, a later order remains unchanged or the same result will follow in another case.