Succession Review Summons by an Unheard Registered Purchaser

Educational sample 341 | 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]

SUMMONS FOR REVIEW

1. The Applicant seeks review of the title-related portions of the ruling dated [certified date] in this succession cause. The challenged paragraphs and consequential Land Registrar direction are identified at [pages]. The Applicant does not seek reversal of grant revocation by implication.

2. The Applicant claims a registered interest in [two accurately identified subdivisions] derived from [parent parcel]. The registration dates, supporting instruments and current certified searches are [records]. Ownership validity remains disputed and is not conclusively determined by this application.

3. The title-related order was made without the Applicant being joined, served or afforded a hearing, as demonstrated by [actual cause and service record]. The review ground is [precise lawful ground], with the date of discovery and explanation of delay stated.

4. The Applicant invokes the relevant Probate and Administration Rules, section 47 and the applicable review provision imported by rule 63. Any actual appeal and related proceedings are disclosed. A notice of appeal must be distinguished from an appeal actually preferred and its subject matter.

5. The Applicant seeks targeted setting aside or variation of the affected title-cancellation provisions and consequential directions, with service on all affected parties. Substantive title disputes are reserved for the competent forum. Costs and any interim preservation order remain for the Court determination.

DATED at [place] on [date]. Signed [party or advocate]. DRAWN AND FILED BY [name and address for service]. TO BE SERVED UPON [each affected person and address].

Use and evidence notes

Identify the exact certified succession order, recognised review ground, actual knowledge date and explanation of delay. Use the proper probate application, supporting affidavit and service directions, with the applicable review provisions imported through rule 63. Disclose any appeal. Review is distinct from final determination of land ownership. Use the proper probate application form and supporting affidavit under the applicable rules. Identify Order 45 through rule 63; ordinary civil procedure is not imported wholesale. 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.