



**In re Estate of Boniface Njau Rimui (Deceased) (Succession Cause
3338 of 2005) [2024] KEHC 10469 (KLR) (Family) (29 August 2024) (Ruling)**

Neutral citation: [2024] KEHC 10469 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
SUCCESSION CAUSE 3338 OF 2005
H NAMISI, J
AUGUST 29, 2024**

IN THE MATTER OF

**STEPHEN RIMUI NJAU 1ST ADMINISTRATOR
CLEMENT NJOROGE NJAU 2ND ADMINISTRATOR**

RULING

1. Before the Court is Notice of Motion dated 24 June 2024 seeking the following orders:
 - i. That the suit file herein be reinstated;
 - ii. That upon reinstatement of the suit file herein, the Application for amendment of Grant of Letters of Administration and the Confirmation of Grant filed herewith be heard forthwith;
 - iii. That the costs of the application be in the cause
2. The Application is supported by the Affidavit of Stephen Rimui Njau and Clement Njoroget Njau, the Administrators and the grounds on the face of the Application.
3. The Grant of Letters of Administration was confirmed on 4th December 2006. The confirmed Grant was then rectified on 4th April 2017 and 21 January 2021. The Applicants would like the matter to be reinstated so that they can prosecute their Summons for Rectification dated 24 June 2024. In the Affidavit, the Applicants state that the reason for the amendment is to remove the name of one Administrator who is now deceased.
4. The Applicants state that since 21 January 2021, the file has not been active. It is when they perused the court file that they realised that the court had, on its motion, closed the file on 18 May 2022.
5. One of the issues that confronts me is the need for expeditious conclusion of matters before the Court. It is crucial that the Administrators herein move with speed to finalise the distribution of the estate



to avoid further Applications seeking rectification of the confirmed Grant. With this in mind, I order as follows:

- i. The Notice of Motion dated 24 June 2024 is hereby allowed.
- ii. The Summons for Rectification of Grant dated 24th June 2024 shall be set down for hearing forthwith;
- iii. Mention on 11th September 2024 before the Deputy Registrar for purposes of fixing a hearing date for the Summons for Rectification of Grant;
- iv. Costs in the cause

DATED AND DELIVERED AT NAIROBI THIS 29 DAY OF AUGUST 2024

HELENE R. NAMISI

JUDGE

Delivered on virtual platform in the presence of:

Matwerefor the Applicants

