



REPUBLIC OF KENYA



In re Estate of John Aboge Oludhe alias John Aboge Oluthe (Deceased) (Miscellaneous Succession Cause 233 of 2024) [2024] KEHC 11753 (KLR) (30 September 2024) (Ruling)

Neutral citation: [2024] KEHC 11753 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS SUCCESSION CAUSE 233 OF 2024**

RE ABURILI, J

SEPTEMBER 30, 2024

**IN THE MATTER OF THE ESTATE OF JOHN ABOGE OLUDHE ALIAS JOHN
ABOGE OLUTHE (DECEASED)**

AND

**IN THE MATTER OF AN APPLICATION BY CYPRIAN OCHIENG OBUYA -
PETITIONER**

RULING

1. The deceased John Aboge was domiciled at East Kolwa location.
2. According to the letter dated 4th July 2024, the Chief East Kolwa wrote to Senior Principal Magistrate's Court at Winam, introducing the beneficiaries of the deceased's estate. Surprisingly, the Succession Cause was filed at Kisumu Law Courts which was an error.
3. I hereby transfer Kisumu CMC Succession Cause No. E338 of 2024 to Winam Senior Principal Magistrate's Court for hearing and determination.
4. The e-file to be transmitted forthwith upon which the Petitioner Cyprian Ochieng Obuya should be notified to move the court.
5. This file is closed. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 30TH DAY OF SEPTEMBER, 2024

R. E. ABURILI

JUDGE

