



In re Estate of the Late Mary Nansubuga Wango (Succession Cause 655 of 2014) [2024] KEHC 13180 (KLR) (30 October 2024) (Ruling)

Neutral citation: [2024] KEHC 13180 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
SUCCESSION CAUSE 655 OF 2014
SM MOHOCHI, J
OCTOBER 30, 2024**

IN THE MATTER OF THE ESTATE OF THE LATE MARY NANSUBUGA WANGO

BETWEEN

EDWARDS GALI WANGO 1ST INTERESTED PARTY

MARY LUCY MUTHONI 2ND INTERESTED PARTY

AND

NINA GRACE WANGO ADMINISTRATOR

RULING

1. Before this Court for determination is the Chamber Summons application for review of ruling by Mary Lucy Muthoni, dated 11th July, 2024 seeking review of confirmation of the grant made on 2nd April 2024 in relation to the Land Parcel Subukia/SubukiaWest/Block 1/7 to the extent that the deceased share thereon was four and a half (4.5) acres.
2. The Application was conceded to in the undated Sworn Affidavit filed 17th September 2024 and written submissions of Nina Grace Wango the Administrator, filed on the 1st October 2024.
3. The Court will thus Allow the Summons dated 11th July, 2024 on the following terms;
 - a. The Certificate of Confirmed grant dated 2nd April 2024 is hereby reviewed in relation to Land Parcel Subukia/SubukiaWest/Block 1/7 in as follows:



<p>Subukia/Subukia West Block 1/7 (Comprising of a portion of four and a half (4.5) acres thereon)</p>	<ul style="list-style-type: none"> • Nina Grace Wango, • Lydia Galiwango • Juliet • Galiwango, Navil • Makalima, • Doreen • Kabula,Daphine • Kabula,Marvin • Makanga, Sharon • Nakame,Jethro • Barak, Lydia • Wango,Dimpo • Wango, • Samuel Wango, • Mariam Nakiyingi, • Sebyala Geoffrey, • Fred Wango, • Victoria Nabutono 	<p>To be sold and proceeds shared Equally among beneficiaries.</p>
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4. Any interim orders granted on the Application dated 11th July, 2024 are hereby vacated.
5. With regards to any dispute surrounding the subdivision of the portion of four and a half (4.5) acres from Land Parcel Subukia/Subukia-West/Block 1/7, this Court shall urge the Administrator to move the appropriate Court for the relief on use of land.
6. With regards to the subsequent Application dated 17th September 2024, the same shall be assigned a mention date for directions on hearing and disposal.
7. There shall be no costs, as the proceedings and all submissions had acknowledged the actual and true share of the deceased estate on Land Parcel Subukia/SubukiaWest/Block 1/7 and that the error was apparent on record and was never occasioned by the Administrator and that this being a family matter.

Orders accordingly.

SIGNED, DATED AND DELIVERED AT NAKURU ON THIS 30TH DAY OF OCTOBER 2024.

MOHOCHI S. M.

JUDGE

