



**In re Estate of Getrude Anyango Owiny alias Getrude M Anyang (Deceased)
(Succession Cause 14 of 2019) [2024] KEHC 13730 (KLR) (28 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 13730 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
SUCCESSION CAUSE 14 OF 2019**

MS SHARIFF, J

OCTOBER 28, 2024

**IN THE MATTER OF THE ESTATE OF GETRUDE ANYANGO
OWINY ALIAS GETRUDE M. ANYANGO (DECEASED)
IN THE MATTER OF AN APPLICATION BY GEORGE OJWANG OWINY**

IN THE MATTER OF

GEORGE OJWANG OWINY APPLICANT

RULING

1. I have considered the application made by Ms. Onyango counsel for 5th and 6th Objectors for leave to extend time within which they are to adduce proof of omission of some assets of the deceased.
2. I have also considered the rival submissions of Mrs. Asuna for the 3rd and 4th Objectors, Mr. Maua Counsel for Rose Atieno Njenga (an administrator) and Mr. George Ojwang Owiny another administrator and the issue that emerges for consideration is whether the summons for confirmation of grant dated 16th September 2024 and supported by supporting affidavit of George Ojwang Owiny sworn on even date and the further affidavit sworn on 24th September 2024, should be confirmed or whether the 5th and 6th Objectors should be accorded more time to provide evidence of omitted properties.
3. I have perused the supporting affidavit and the further affidavit of George Ojwang Owiny and I am satisfied with the explanation tendered both in the affidavits and in his oral submissions.
4. I do agree with Mr. Maua that Ms. Otieno's submissions (as made on her behalf by Mr. Onyango) from the bar have no probative value and in the absence of any opposition to the summons I do hereby allow it and make the following orders:
 1. This grant is hereby confirmed and the estate of the deceased shall be distributed as per the schedule/mode of distribution annexed to this application dated 16.9.2024.



2. An order is hereby made directing Messrs Co-operative Bank Kisumu Branch to remove the name of Regina Odero Pundo forthwith and replace it with Rose Atieno Njenga, in account No. 0119287XXXX.
3. Mention on 5.5.2025 to confirm distribution.

DATED, SIGNED AND DELIVERED THIS 28TH DAY OF OCTOBER, 2024.

M. S. SHARIFF

JUDGE

