



REPUBLIC OF KENYA



In re Estate of John Wandera Okalanya (Deceased) (Succession Cause 145 of 2013) [2024] KEHC 14879 (KLR) (27 November 2024) (Ruling)

Neutral citation: [2024] KEHC 14879 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUSIA
SUCCESSION CAUSE 145 OF 2013
WM MUSYOKA, J
NOVEMBER 27, 2024**

IN THE MATTER OF THE ESTATE OF JOHN WANDERA OKALANYA (DECEASED)

RULING

1. The application, that I am called upon to determine, is dated 4th October 2024. It seeks cancellation of the transmission process that has happened, purportedly based on the certificate of confirmation of grant, issued on 13th May 2014, on grounds that that transmission was not done fully in compliance with that certificate. The said certificate has also been rectified, following the death of one of the beneficiaries, who was also an administrator.
2. I have seen and read the letter from the County Land Registrar, dated 26th May 2021, which states that the property was not partitioned in consonance with the said certificate, and which proposes cancelation of the partition, to revert it to the original number, to facilitate fresh partition, and completion of transmission.
3. I am persuaded, in the circumstances, that the application, dated 4th October 2024, is for granting, and I hereby allow it as prayed. The matter shall be mentioned on 6th May 2025, to confirm completion of administration, and for closure of the court file. Orders accordingly.

DELIVERED, VIA EMAIL, DATED AND SIGNED IN CHAMBERS, AT BUSIA, THIS 27TH DAY OF NOVEMBER 2024.

W MUSYOKA

JUDGE

Mr. Arthur Etyang, Court Assistant.

Advocates

Ms. Nabulindo, instructed by DK Nabulindo & Company, Advocates for the administrator.

