



REPUBLIC OF KENYA



**In re Estate of Maurice Odhiambo Ojwang (Deceased) (Succession Cause E003 of 2021) [2023] KEHC 2999 (KLR) (24 March 2023) (Ruling)**

Neutral citation: [2023] KEHC 2999 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
SUCCESSION CAUSE E003 OF 2021  
RE ABURILI, J  
MARCH 24, 2023**

**BETWEEN**

**IN THE MATTER OF THE ESTATE OF: MAURICE ODHIAMBO OJWANG  
ALIAS MAURICE OJWANG ..... DECEASED**

**AND**

**IN THE MATTER OF APPLICATION BY: LINET ADHIAMBO  
OJWANG- ..... APPLICANT**

**RULING**

1. The petitioner/applicant herein Linet Adhiambo Ojwang was issued with a grant of letters of administration intestate on March 11, 2022 to administer the estate of the late Maurice Odhiambo Ojwang alias Maurice Ojwang.
2. The said grant was confirmed on March 11, 2022 distributing the assets of the deceased and following a signed consent by all the beneficiaries.
3. The Administrator is back into court with an application seeking to rectify the grant as confirmed to include the property which was omitted namely Kisumu/Municipality/12/217/11 which is said to have belonged to the deceased Maurice Odhiambo Ojwang and which he had sold to Dan Onyango Maina.
4. I have considered the application and the sworn affidavit by the administrator and sole beneficiary of the deceased's estate. I find that no prejudice will be occasioned to the estate if the property omitted is included in the certificate of confirmation.
5. I hereby allow the application dated March 8, 2023. I set aside the certificate of confirmation of grant issued on March 11, 2022 and substitute it with an order that a fresh amended certificate of confirmation of grant be issued to include the property Kisumu/Municipality/Block12/217/11 which shall be apportioned to Dan Onyango Maina the purchaser.



6. The estate of the deceased to be fully administered and the process be concluded within six (6) months of today as stipulated in Section 83 of the *Law of Succession Act*.
7. The file is hereby closed.
8. I so order.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 24TH DAY OF MARCH, 2023**

**R. E. ABURILI**

**JUDGE**

