



REPUBLIC OF KENYA



**In re Estate of William Okoth Omoro (Deceased) (Succession Cause
274 of 2003) [2023] KEHC 2967 (KLR) (24 March 2023) (Ruling)**

Neutral citation: [2023] KEHC 2967 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
SUCCESSION CAUSE 274 OF 2003
RE ABURILI, J
MARCH 24, 2023**

IN THE MATTER OF

**SILVESTER OPALA AGUKO 1ST APPLICANT
PAUL ONYANGO 2ND APPLICANT
HENRY OGOCH OKOTH 3RD APPLICANT**

RULING

1. This is a 2003 Succession Cause in respect of the estate of William Okoth. A grant of letters of administration intestate was issued to Sylvester Opala Aguko, Paul Onyango and Henry Ogoch Okoth on July 30, 2003 and confirmed on November 23, 2004. Of the three (3) administrators, two namely Sylvester Opala Aguko and Paul Onyango have filed an application dated October 18, 2022 seeking for rectification of the grant as one of their co-administrator, Henry Ogoch Okoth died on February 15, 2009.
2. The Applicants have annexed a death certificate No. C37991 to that effect. They have also filed a Schedule of distribution of the estate including a share of the deceased Henry Ogoch Okoth, Teresa Anyango Ogoch and a consent duly signed and filed.
3. I have considered the application for rectification of grant. I allow it and order that the grant issued on July 30, 2003 and certificate of confirmation issued on November 23, 2004 be and are hereby rectified to remove the name of Henry Ogoch Okoth now deceased.
4. Fresh rectified grant and rectified certificate of confirmation of grant to issue forthwith providing a fresh schedule of distribution of the estate as proposed in the supporting affidavit of the applicants herein sworn on October 18, 2022 save that the share apportioned to Teresa Anyango Ogoch shall be held by her in trust for herself and all her children of the deceased Henry Ogoch Okoth.
5. Parties to be notified.



6. I so order.
7. File closed save for accountability of administrators as stipulated in Section 83 of the [Law of Succession Act](#).
8. File closed.

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

R. E. ABURILI

JUDGE

