



REPUBLIC OF KENYA



**In re Estate of Peter Njenga Kuria (Deceased) (Probate & Administration  
E055 of 2022) [2022] KEHC 18052 (KLR) (27 July 2022) (Judgment)**

Neutral citation: [2022] KEHC 18052 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIAMBU  
PROBATE & ADMINISTRATION E055 OF 2022**

**RB NGETICH, J**

**JULY 27, 2022**

**IN THE MATTER OF  
NJUGUNA WANYOIKE ..... PETITIONER**

**JUDGMENT**

1. The petitioner herein Njuguna Wanyoike filed petition for Probate of Written Will on May 20, 2022. The petition is dated May 18, 2022.
2. From the Supporting Affidavit, the deceased Peter Njenga Kuria died on February 20, 2022. He was domiciled in Kiambu. An original letter from the Chief, Gatamaiyu Location dated April 13, 2022 was filed in court.
3. The Chief's letter indicate that the deceased was survived by the following:
  - i. Mary Wambui (widow).
  - ii. Jane Wanjiru Njenga (daughter).
  - iii. Ruth Mumbi (daughter).
  - iv. Veronica Mwihaki Njenga (daughter)
4. The birth certificates and identity cards for the deceased's children have been attached to the Chief's letter.
5. Grant of probate of written will was issued to the executor, Njuguna Wanyoike on 18/7/2022. The executor filed application dated 21/5/2022 for confirmation of grant before expiry of six (6) months.
6. In the Supporting Affidavit, he averred that the interest of the beneficiaries is well provided for and by dint of a Registered Declaration of Trust dated February 28, 2014, the Testator was a Director and Trustee of numerous entities and stated in the schedule of distribution.



7. He averred that some of the companies the Testator was a Director and Shareholder/Trustee have due debt facilities with various creditors some of which the Testator was a guarantor.
8. He further averred that there are threats against disposal of companies' assets forming part of the estate and the surviving Directors/Shareholders are required to make key decisions for the good of the companies to protect the estate.
9. Counsel for the petitioner reiterated averments in the Supporting Affidavit and prayed that Grant of Probate of Written Will be confirmed to protect the estate of the deceased.
10. The executor, the deceased's widow and daughter, Jane Wanjiru aged 25 years old were present in court. They confirmed that there is no objection to confirmation of Grant of Probate of Written Will.
11. From the foregoing, I find that the applicant has demonstrated sufficient reason to confirm Grant of Probate of Written Will before expiry of six (6) months.
12. Final Orders  
Grant of Probate issued on July 18, 2022 is hereby confirmed as per Written Will dated February 28, 2014.

**JUDGMENT DELIVERED, DATED AND SIGNED VIRTUALLY AT KIAMBU**

**THIS 27TH DAY OF JULY, 2022.**

.....

**RACHEL NGETICH**

**JUDGE**

**In the Presence of**

**Kinyua/Martin – Court Assistants**

**Kipkemoi Sang – For the Applicant/Executor**

