



REPUBLIC OF KENYA



**KENYA LAW**  
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**In re Estate of Ashumba Osidai (Deceased) (Succession Cause  
17 of 2018) [2022] KEHC 15491 (KLR) (22 July 2022) (Ruling)**

Neutral citation: [2022] KEHC 15491 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KAJIADO  
SUCCESSION CAUSE 17 OF 2018  
SN MUTUKU, J  
JULY 22, 2022**

**IN THE MATTER OF THE ESTATE OF ASHUMBA OSIDAI - DECEASED**

**RULING**

1. On 4<sup>th</sup> day of October 2018, this court (Nyakundi, J) issued a Grant of Letters of Administration in respect of the Estate of Ashumba Osidai, deceased, who died on 25<sup>th</sup> June, 2003 to Mamaiye Sidai Mperewuas. At the time of his death, the deceased was registered owner, jointly with Sooi Sida, Kotukash Osidai and Esho Osidai, of Kajiado/Kilonito/9 measuring 132.40 hectares.
2. The Grant was confirmed on 19<sup>th</sup> day of February, 2020. However, the Certificate of Confirmation captured the particulars of the shares meant for the beneficiary erroneously. Out of Kajiado/Kilonito/9, the share for Esho Osidai is 33.1 hectares and the beneficiary is Mamaiye Siday Mperewuas as the sole beneficiary.
3. The beneficiary now seek to have the Grant rectified and the shares and beneficiaries captured correctly.
4. On 6<sup>th</sup> July the beneficiaries appeared in court and confirmed the shares as proposed in the Summons for Rectification dated 24<sup>th</sup> August 2021. This court directed counsel for the parties to file brief submissions on this issue but as at 19<sup>th</sup> July 2022 there are no submissions filed.
5. I have considered this matter and I hereby allow the Summons for Rectification. The Grant issued on 4<sup>th</sup> October, 2018 and confirmed on 19<sup>th</sup> February, 2020 is hereby rectified as follows:  

“A portion measuring 33.1 hectares be hived from Title Number Kajaido/Kilonito/9 (measuring 132.4 hectares and registered in the names of Sooi Sida, Esho Osidai, Kotikash Osidai and Ashumba Osidai) and be distributed to Mamaiye Sidai Mperewuas.”
6. A rectified Certificate of Confirmation to issue.

**DATED, SIGNED AND DELIVERED THIS 22<sup>ND</sup> DAY OF JULY 2022.**

**S. N. MUTUKU**



**JUDGE**

