



**In re Estate of Louis Gachimbi Nderitu (Deceased) (Succession Cause
37 of 2019) [2022] KEHC 14405 (KLR) (Family) (26 October 2022) (Ruling)**

Neutral citation: [2022] KEHC 14405 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
SUCCESSION CAUSE 37 OF 2019
AO MUCHELULE, J
OCTOBER 26, 2022
IN THE MATTER OF THE ESTATE OF LOUIS GACHIMBI NDERITU (DECEASED)**

BETWEEN

ANGELA AMANI GACHIMBI APPLICANT

AND

SUSAN GACHERI MURUGU 1ST RESPONDENT

KARIN MUTHONI GACHIMBI 2ND RESPONDENT

RULING

1. The deceased Louis Gachimbi Nderitu died intestate on 19th January 2012, and left two families and an estate comprising LR No. 1275/1774; Aguthi/Mungaria/1066; Plot No. 228 Mwiki Company Ltd; and share certificate Nos 0171 and 11344.
2. A grant of letters of administration was issued to the 1st respondent Susan Gacheri Murugu and 2nd respondent Karin Muthoni Gachimbi (daughter of the deceased's late second widow Cecilia Wangechi Mwathi).
3. The applicant Angela Muthoni Gachimbi from the second household made an application dated 27th April 2022 under section 26 of the *Law of Succession Act* (Cap. 160) seeking for provision of Kshs.516,000/= from the estate to cover her bachelor of medicine and bachelor of surgery degree studies at Jomo Kenyatta University of Agriculture and Technology. Susan Gacheri Murugu (the 1st respondent) opposed the application.
4. However, by notice dated 23rd August 2022 the applicant withdrew her application.



5. Since the withdrawal was after the response, I ask that the 1st respondent's costs shall be borne by the applicant.

DATED AND DELIVERED ELECTRONICALLY AT NAIROBI THIS 26TH DAY OF OCTOBER 2022.

A.O. MUCHELULE

JUDGE

