



REPUBLIC OF KENYA



KENYA LAW
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In re Estate of Thomas Wachesa Boyi alias Thomas Wacheza Boi (Deceased) (Succession Cause 194 of 2008) [2022] KEHC 16677 (KLR) (19 December 2022) (Ruling)

Neutral citation: [2022] KEHC 16677 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
SUCCESSION CAUSE 194 OF 2008
RE ABURILI, J
DECEMBER 19, 2022
IN THE MATTER OF THE ESTATE OF THOMAS WACHESA
BOYI ALIAS THOMAS WACHEZA BOI (DECEASED)
AND
IN THE MATTER OF AN APPLICATION BY JOSHUA ERICK
JUMA AND WILLIAM OLUOCH WACHESA OCHIENG**

RULING

1. This matter has been pending in court for a very long time. The parties-beneficiaries of the estate of the deceased Thomas Wachesa Boi are present today in Court and after being interviewed by the Court, they have agreed to settle the issues that have kept them away from sharing the estate.
2. Accordingly, a consent hereby recorded as follows:

“By consent of all the administrators and the surviving beneficiaries, the estate of the deceased Thomas Wachesa Boyi alias Thomas Wacheza Boi shall be distributed as follows, Anna Adhiambo, a daughter having relinquished her interest in the estate:

 1. That the three surviving sons shall share the land Kisumu/Nyalenda ‘A’/182 in equal portions leaving out the portion with rental rooms which shall be shared equally between the house of Joyce Ngong’o represented by Alfred Gori Omuono and Helida Asiko represented by Nicanor Kasuku Wambwaya.
 2. The shares of Joyce Ng’onga and Helida Asiko shall be held by Alfred Gori Omuono and Nicanor Kasuku Wambwaya respectively, in trust for themselves and for all their siblings, children of Joyce Ng’onga and Helida Asiko respectively.
3. The distribution of the estate to be completed within the next 6 months from the date hereof in default, the court shall recall the grant and Certificate of confirmation of the grant and revoke them accordingly.



4. Certificate of confirmation of grant to issue in terms of this consent order.
5. I so order.
6. Mention on 19/6/2023 to confirm completion of the distribution of the estate and for closure of the file.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 19TH DAY OF DECEMBER, 2022

R.E. ABURILI

JUDGE

