

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NYERI

SUCCESSION CAUSE NO. 227 OF 2006

IN THE MATTER OF THE ESTATE OF THE LATE GEORGE KANJA MACHARIA (DECEASED)

VIRGINIA WANGARI KANJAPETITIONER/APPLICANT

RULING

1. The applicant has filed an application under the provisions of Section 74 of Law of Succession Act and Rule 43 (1) of the Probate and Administration Rules and seeks to correct the title number of one of the properties listed on the Certificate of Confirmation of Grant, issued on the 17/10/2008.
2. The application is premised on the grounds on the face of the application and on the supporting affidavit made by the applicant and dated **23/03/2021**.
3. The applicant seeks to include the Title Number, **UNSURVEYED PLOT NO.2 NANYUKI**
4. The applicable law is found at Section 74 of the Probate and Administration Rules – which allows for the review of the orders previously made.
5. Upon reading the application and hearing the submissions of Counsel appearing for the applicant this court is satisfied that the application for review to include the omitted property is as envisaged under the provisions of the above Section 74. The application is found to be meritorious and is hereby allowed.
6. The Certificate of Confirmation of Grant issued on 17/10/2008 is hereby reviewed to include the property known as **UNSURVEYED PLOT NO.2 NANYUKI** and that the same be distributed to **VIRGINIA WANGARI KANJA**

Orders Accordingly.

DATED, SIGNED AND DELIVERED ELECTRONICALLY AT NYERI THIS 30TH DAY JUNE, 2021

HON. LADY JUSTICE A. MSHILA

JUDGE