

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KAKAMEGA

SUCCESSION CAUSE NO. 611 OF 2011

IN THE MATTER OF THE ESTATE OF ABIL OMWEKHONYO alias ABLEY OMWEKHONYO (DECEASED)

RULING

1. The application for determination is the summons dated 4th August 2011. It seeks revocation of a grant made in Vihiga SRMCSC No. 54 of 2011. The file in Vihiga SRMCSC No. 54 of 2011 has not been made available, yet the application that I am to determine is founded on the events that happened in that file. Consequently, I cannot do justice without sight of the said file.

2. The property the subject of the succession cause is situated within Vihiga County. The instant file shall be transferred to the High Court of Kenya at Vihiga for finalization. Once the transfer has been done, the Deputy Registrar at Vihiga shall cause the court file in Vihiga SRMCSC No. 54 of 2011 to be called for and placed inside the instant file, and to thereafter have the file returned to me for preparation of the final ruling on the revocation application.

3. It is so ordered.

DELIVERED, DATED AND SIGNED IN OPEN COURT AT KAKAMEGA THIS 6th DAY OF August 2021

W. MUSYOKA

JUDGE