

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

SUCCESSION CAUSE NO. 1 OF 2020

IN THE MATTER OF THE ESTATE OF LATE JOHN ONGAYO KOKWARO (DECEASED)

ELIZABETH DOROTHY KOKWARO.....APPLICANT

RULING

1. I have considered the summons for rectification of grant dated 21/10/2021 and filed under Certificate of Urgency. I am satisfied that it is urgent. I hereby certify the same as urgent.
2. On the substance thereof, I observe that the application is made exparte since there were no objections filed in the succession matter herein.
3. However, the administratrix in filing the petition for grant used different names of Elizabeth Dorothy Kokwaro, while her National Identity Card No. xxxxxx has only two names Elizabeth Kokwaro. The Grant and Certificate of Confirmation as issued by the court followed the names by which the grant was sought hence this court made no errors. The error was on the part of the administratrix/petitioner; who should have used her official names as per her National Identity Card.
4. Nonetheless, as the error is that of using more names than was to be the case, and as this court did see the administratrix and verified her identity, I have no doubt that Elizabeth Dorothy Kokwaro is one and the same person of Elizabeth Kokwaro.
5. Accordingly, in order to enable the administratrix administer the estate of the deceased John Ongayo Kokwaro, I hereby allow the Summons for Rectification of Grant dated 30/7/2021 and direct that a fresh Certificate of Confirmation of Grant issued on 30/7/2021 together with grant issued on 14/5/2020 be and are hereby rectified.
6. The name of the administratrix shall henceforth be Elizabeth Kokwaro instead of Elizabeth Dorothy Kokwaro. Fresh grant indicating "Rectified Grant" and fresh "Rectified Certificate of Confirmation of Grant" to reissue under seal of this court.
7. Orders accordingly.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 27TH DAY OF OCTOBER, 2021

R.E. ABURILI

JUDGE