



REPUBLIC OF KENYA



KENYA LAW
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In re Estate of Karsandas Nanji Ruparelia (Deceased) (Cause E072 of 2012) [2021] KEHC 9827 (KLR) (22 October 2021) (Ruling)

Neutral citation: [2021] KEHC 9827 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
CAUSE E072 OF 2012
JO NYARANGI, J
OCTOBER 22, 2021**

N THE MATTER OF THE ESTATE OF KARSANDAS NANJI RUPARELIA (DECEASED)

RULING

1. The deceased herein died testate on 4th October, 1998 while domiciled in Dar es Salaam Tanzania. Consequently, Sunderji Nanji, Jamnaben Narond and Natvarial Karasandas named in the will as executors petitioned for a grant of probate before the high court of DaresSalaam Tanzania .The same was granted and issued on 8th February, 2001.
2. By a petition dated 25th January, 2021, Natwarlal Karsandas Ruparelia one of the named executors petitioned for resealing of the grant. He averred that the other two co- executors are deceased and that he is the sole surviving executor.
3. According to the petition, the deceased had left landed property situated in Mombasa Kenya valued at Ksh 50,000,000. He attached to the application a copy of the grant of probate, will and title deeds of the properties situate in Kenya.
4. Having confirmed that the other two executors are deceased, it calls for removal of the deceased executors' names from the grant of probate. Secondly, there is no original duplicate copy of the grant from the issuing court presented in court or a copy certified by the court of Dar res Saalam Tanzania. Further, the petition for resealing has not been gazetted in the Kenya gazette for the general public to know in case of any objection pursuant to rule 42 of the *P&A Rules*. For the aforesaid stated reasons, I decline to reseal the grant.

DATED SIGNED AND DELIVERED VIRTUALLY AT MOMBASA THIS 22ND DAY OF OCTOBER, 2021

J. N. ONYIEGO

JUDGE

