



**REPUBLIC OF KENYA**

**IN THE HIGH COURT**

**AT NAIROBI**

**(FAMILY DIVISION)**

**SUCCESSION CAUSE NO 1436 OF 2019**

**IN THE MATTER OF THE ESTATE OF JOSHUA OGOLA OKAL (DECEASED)**

**R U L I N G**

1. The Applicants Okal Narkisho & Charles Otieno Okal , brothers of Joshua Okal Ogolla (deceased) who died on the 22<sup>nd</sup> of June 2019, moved this court for a special limited grant to enable them access funds in the deceased account number [...] with the Cooperative Bank of Kenya Limited and account number [...] with the Kenya Commercial Bank in order to pay for upkeep and school fees for the deceased children.

2. The deceased wife predeceased him. They left behind five issues namely;-

i. EDO

ii. DOO

iii. NOO

iv. BOO &

v. POO.

3. The court was informed that the first Applicant has physical custody of the first four children and the 5<sup>th</sup> child stays upcountry with their mother.

4. In order to understand the circumstances surrounding this matter the court involved the Department of Children Services so that more investigations could be conducted. The Director of Children Services made enquiries and filed his report on the 10<sup>th</sup> of February, 2020.

5. I have considered the petition and the report filed pursuant to the enquiry made through the Director Children Services and I have formed the opinion that the application is justifiable and in the best interest of the children and I hereby grant the same.

**Dated and Delivered in Nairobi on this 26<sup>TH</sup> day of FEBRUARY, 2020.**

**ALI-ARONI**

**JUDGE**