



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT KERICHO**

**SUCCESSION CAUSE NO.88 OF 2002**

**IN THE MATTER OF THE ESTATE OF THE LATE DOUGLAS**

**KIPSIRINGOT Alias KIPNGENY A. BOIWO (DECEASED)**

**JOSEPHINE CHEBET RUTO.....PETITIONER**

**VERSUS**

**ALICE CHEPNGENO RUTO.....OBJECTOR**

**RULING**

1. This matter has been placed before this court for directions with regard to the confirmation of the grant of letters of administration herein.
2. The letters of administration herein were initially confirmed on 19<sup>th</sup> October 2009 and certificate of confirmed grant issued.
3. Subsequent to the issuance of certificate of confirmed grant above, this court delivered a ruling on 31<sup>st</sup> July 2016 in respect of rectification of the confirmed grant of letters of administration, in which the court accepted the surveyors report on the creation of an access road and allowed a rectification of the certificate confirmed grant of letters of administration to reflect the acreages reflected in the surveyors report.
4. Thereafter, this court on 18<sup>th</sup> May 2018 made the following additional orders –
  1. *That the transfer of deceased's shares in KTDA be and is hereby revoked and the said shares be shared equally between the applicant and the respondent.*
  2. *That the respondent do refund the applicant her share of the fees amounting to Kshs.28,280/= incurred for valuation.*
  3. *That the grant in this matter confirmed on 19<sup>th</sup> October 2009 shall be rectified as directed in the ruling of 31<sup>st</sup> July 2014 and a certificate duly issued.*
  4. *That there shall be no order as to costs.*
5. In my view therefore, the certificate of confirmed grant of letters of administration herein, has to be rectified to capture the contents of the substantive directions given in the two court rulings of 31<sup>st</sup> July 2014, and 18<sup>th</sup> May 2018. A rectified certificate of confirmed grant of letters of administration will thus issue as directed herein.

**Dated this 29<sup>th</sup> day of April 2020.**

**GEORGE DULU**

**JUDGE**

Delivered through video conferencing in the presence of Mr. Langat court assistant, Mr. Mugumya for the objector and Mr. Miruka for the petitioner.