



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT KERUGOYA**

**SUCCESSION CAUSE NO. 120 OF 2013**

*(formerly Succession 372 of 2009 - EMBU, Succession 72 of 1988 Kerugoya Lower Court)*

**IN THE MATTER OF THE ESTATE OF NGERECA NDUKU (DECEASED)**

**NJOKA MUTUANENNE.....PETITIONER**

**VERSUS**

**ALICAP MUNENE KURUTA....RESPONDENTS/ PROTESTORS**

**STANLEY GACHOKI GICHIRA**

**RULING**

1. This matter relates to The Estate Ngereca Nduku (deceased) who died inte-estate on 7<sup>th</sup> day of May 1988, and what was coming up in this matter was a Ruling on an application dated 22<sup>nd</sup> July, 2019.

2. It would seem that there was an affidavit of protest which was sworn by the protestor in this matter. However, I have carefully perused the file and I have not come across any affidavit of protest by the protestors. It will therefore not be possible for me to write any meaningful Ruling without the benefit of the contents of that affidavit of protest.

3. In the circumstances I order that this matter shall be listed for mention for the parties to confirm whether indeed an affidavit of protest has been filed in this matter.

4. The parties will take a mention date at the Court registry.

**Dated, signed at Kerugoya this 29<sup>th</sup> day of May 2020.**

**L. W. GITARI**

**JUDGE**