



**REPUBLIC OF KENYA**

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

**FAMILY DIVISION**

**SUCCESSION CAUSE NO. 2647 OF 1997**

**IN THE MATTER OF THE ESTATE OF JAMES WAINAINA NG'ANG'A alias WAINAINA NG'ANG'A (DECEASED)**

**R U L I N G**

1. On the 11<sup>th</sup> of October, 2018 the court sought for more information so as to rule on the pending application dated 3<sup>rd</sup> August, 2018 seeking for removal of a restriction on Title No. **Title No. Gilgil/Karunga Block 2 Nuthu A 37** that was placed at the behest of Francis Kahuho Wainaina in order to pave way for distribution in accordance with the confirmed grant.
2. It has come to the attention of the court that the concern raised by Francis Kahuho Wainaina has well been explained by the administrator Denham Thiongo Wainaina in his affidavit pursuant to the court's order of 11<sup>th</sup> October, 2018 which affidavit is dated 24<sup>th</sup> October, 2018.
3. Consequently, since the grant remains confirmed so far, the court hereby now directs and orders the Land Registrar Naivasha do remove any restriction on **Title No. Gilgil/Karunga Block 2 Nuthu A 37** to allow distribution in accordance with confirmed grant.
4. Costs to the Applicant/Administrator.

**DATED, SIGNED and DELIVERED at NAIROBI this 17<sup>TH</sup> DAY OF SEPTEMBER, 2020.**

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**ALI-ARONI**

**JUDGE**