

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

FAMILY DIVISION

SUCCESSION CAUSE NO. 196 OF 2017

IN THE MATTER OF THE ESTATE OF MORTON KIMANI GITUNDU (DECEASED)

GRACE NJERI KAROGO.....APPLICANT

R U L I N G

1. The application dated 28th May, 2020 is unopposed. It seeks for orders directing that the cause be published in the Kenya Gazette in the names of Gathogo Samuel Kibui Kimani and Grace Njeri Karogo.
2. Secondly, the application seeks that the grant be confirmed in terms of the mediation report and without production of titles being held by Deputy Commissioner, Waithaka Division.
3. The application is supported by the affidavit of Grace Njeri Karogo.
4. The application is made following a successful mediation process that solved a long outstanding dispute between the parties.
5. The court therefore now directs the Deputy Registrar to cause to be published the petition with the necessary amendments to include the name of Samuel Kibui Kimani so that he is a co-administrator with Grace Njeri Karogo.
6. It is not clear why the Deputy Commissioner of Waithaka would defy a court order to release title documents. This court now directs and orders the said Deputy District Commissioner do produce all the original title documents related to this matter and in his possession to both counsels on record for the parties to enable them facilitate distribution and transfers at the opportune time.
7. No order as to costs.

DATED, SIGNED and DELIVERED at NAIROBI this 22ND DAY OF OCTOBER, 2020.

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ALI-ARONI

JUDGE