

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

FAMILY DIVISION

SUCCESSION CAUSE NO. 1051 OF 2013

IN THE MATTER OF THE ESTATE OF JOHN KAGWI GEORGE MBUGUA (DECEASED)

SARAH WAIRIMU WANJIRU)

SIMON NDUNGU MBUGUA)

JACKSON KAMUTU MBUGUA).....APPLICANTS

R U L I N G

1. On the 27th June 2019 the administrators herein sought to have Nancy Ngendo Macharia and Elizabeth Muthoni Kinyanjui added as beneficiaries.
2. That the two were said to be children of Christine Njoki Mbugua (a beneficiary) now deceased and sisters to George Mbugua Njoki.
3. The applicants wanted the share of Christine Njoki Mbugua shared by her 3 children named above.
4. George Mbugua disputed that Nancy and Elizabeth were his siblings as he was not know to them.
5. In order to resolve on the issue of the alleged children of Christine the court directed the three alleged children and their mother's siblings undergo a DNA test.
6. The DNA results dated 31st March 2020 confirms that George Mbugua Njoki, Nancy Ngendo Macharia and Elizabeth Muthoni Kinyanjui are biological siblings and share a close genetical relationship with Nancy Wanjiku Mbugua, Simon Ndungu Mbugua and Jackson Kamuyu Mbugua who are their late mother's siblings.
7. Consequently Nancy Ngendo Mbugua and Elizabeth Muthoni Kinyanjui are enjoined as beneficiary and the three will now share equally what was slated for George Mbugua Njoki being the share for their deceased mother Christine Njoki Mbugua.
8. For avoidance of doubt the grant will be rectified so that George Mbugua Njoki; Nancy Ngendo Mbugua and Elizabeth Muthoni Kinyanjui will together get a share of their deceased mother jointly.

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

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ALI-ARONI

JUDGE