



**REPUBLIC OF KENYA**

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

**SUCCESSION CAUSE NO. 185 OF 2012 AS**

**CONSOLIDATED WITH SUCCESSION CAUSE NO. 161 OF 2014**

**IN THE MATTER OF THE ESTATE OF THE LATE KASTURBEN PREMCHAND KARAMSHI SHAH**

**RULING**

1. The Application coming is dated 5<sup>th</sup> July, 2019 in which DR PRAMODCHANDRA PREMCHAND SHAH is seeking rectification of grant of Probate issued on 4<sup>th</sup> January 2013 and Certificate of Confirmation issued on 21<sup>st</sup> October 2014 jointly to KHUSHAL PARAS SHAH and KANCHAN PRABHULAL SHAH.
2. DR PRAMODCHANDRA PREMCHAND SHAH is seeking to replace the two as the sole executor of the Will of the deceased herein.
3. On 23.10.2019 an application dated 22.12.2017 was allowed by this Court. The same was seeking renunciation of the right to Probate of Written Will by KAUSHAL PARAS SHAH.
4. However, there is another application dated 1.8.2019 seeking amendment of the grant of Probate to one executor namely KANCHAN PRABHULAL SHAH after renunciation of right of Probate dated 22<sup>nd</sup> December 2017 by KAUSHAL PARAS SHAH.
5. I direct that all the surviving beneficiaries to file consents that they are in agreement that DR PRAMODCHANDRA PREMCHAND SHAH should be appointed Executor of the Estate of the deceased.

**DELIVERED, DATED AND SIGNED IN OPEN COURT THIS 29<sup>TH</sup> DAY OF NOVEMBER, 2019**

**ASENATH ONGERI**

**JUDGE OF THE HIGH COURT OF KENYA, NAIROBI.**