



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT KISUMU
(CORAM: CHERERE-J)
SUCCESSION CAUSE NO. 950 OF 2014
IN THE MATTER OF THE ESTATE OF AGUMBA AWINDA(DECEASED)
BETWEEN
DOMTILLAH AKUMU OKORE.....1ST ADMINISTRATOR
AND
SAMSON OTIENO ADORN.....2ND ADMINISTRATOR

RULING

1. By an order dated 1st December, 2018, this court directed the co-administrators to file joint or separate modes of distribution incorporating the descendants of Bodo Agumba, Oriedo Agumba, Keziah Agumba and Joseph Okore Agumba who are deceased's children who are themselves deceased and ascertaining their respective shares to the estate as much as they possibly can.
2. I have considered the affidavits of proposed mode of distribution filed by Domtillah Akumu Okore (**1st Administrator**) and **Samson Otieno Adorn (2nd Administrator)** and it is apparent that they do not agree on the mode of distribution.
3. The administrators have clearly not complied with the court order dated 1st December, 2018 which required them to ascertain the descendants of Bodo Agumba, Oriedo Agumba, Keziah Agumba and Joseph Okore Agumba who are deceased's children who are themselves deceased and to ascertain their respective shares to the estate as much as they possibly can.
4. I also notice that not all of the grandchildren of the deceased have been provided for.
5. It is therefore hereby ordered:

1. This cause is hereby referred to a Court Annexed Mediator to assist the parties come up with an amicable mode of distribution

2. Mention on 03rd February, 2020 to confirm if a settlement has been reached

DATED, DELIVERED AND SIGNED THIS....21st ...DAY OF ...November....2019

T. W. CHERERE

JUDGE

READ IN OPEN COURT IN THE PRESENCE OF-

Court Assistants - Amondi/Okodoi

For the 1st administrator - Mr. Olel

For the 2nd administrator -Mr. Maua hb for Mr. Sala