



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISII

CITATION NO. 2 OF 2017

IN THE MATTER OF THE ESTATE OF SIMEON MOTARI ASIAGO

(DECEASED)

AND

IN THE MATTER OF RULE 21 OF THE PROBATE & ADMINISTRATION RULES CAP 160 LAWS OF KENYA

AND

IN THE MATTER OF CITATION TO ACCEPT OR REFUSE LETTERS OF ADMINISTRATION INTESTATE

BETWEEN

MELLEN BOSIBORI MOTARI.....CITOR

AND

ESTHER BONARERI MOTARI

ERICK MITUNDA MOTARICITEES

RULING

I have considered the Citation proceedings herein.

According to the Citor, the deceased SIMEON MOTARI ASIAGO died on 21st April 2016 left behind two wives; MELLEN BOSIBORI MOTARI and ESTHER BONARERI NYABERI. It is apparent that they cannot agree who is to take out letters of administration.

I accordingly allow MELLEN BOSIBORI MOTARI to take out the Petition for grant of letters of administration for the deceased's estate within the next 30 days from the date hereof. This Ruling shall be deemed to be the consent and shall be served on the Citees together with the duly filed petition for grant of letters of administration.

There shall be no order as to costs.

D.S Majanja

Judge

25/6/2018

[Ruling read and delivered in open Court]

D.S Majanja

Judge

