



**REPUBLIC OF KENYA**

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

**FAMILY DIVISION**

**SUCCESSION CAUSE NO. 1013 OF 2012**

**IN THE MATTER OF THE ESTATE OF DAVID PARPOIKA OLE KIPARKI**

**MARY PARPOIKA .....APPLICANT**

**R U L I N G**

1. Before court is an application dated 17<sup>th</sup> March, 2016 by **Mary Parpoika** a beneficiary of the estate subject matter. The application seeks to have **David Parpoika Ole Kiparki** one of the administrators removed and replaced by the Applicant or in the alternative for the court to order the administrators to complete subdivision and transfers to the beneficiaries in sixty days and for full accounts to be filed.
2. The application is based on the grounds that the grant herein was issued on the 27<sup>th</sup> of September, 2012 and confirmed in the presence of all beneficiaries on the 30<sup>th</sup> of June, 2014 and it is yet to take effect as **David Parpoika Ole Kiparki** has failed and/or refused to cooperate with his co-administrator to complete the exercise of administration.
3. Despite service of the application upon counsel for the said **David Parpoika Ole Kiparki** no response was filed. The counsel though present in court did not submit for what he said was lack of instructions.
4. Since the said administrator failed to negate the allegations levelled against him and in view of the fact that distribution remains incomplete, I will remove him as an administrator and in his place, **Mary Parpoika** is appointed to administer and conclude distribution of the estate together with **Ntisee Parpoika Ole Kiparki**. The grant of confirmation be amended accordingly.

**DATED, SIGNED and DELIVERED at NAIROBI this 29<sup>th</sup> DAY OF November, 2018.**

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**ALI-ARONI**

**JUDGE**