



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAKURU**

**SUCCESSION CAUSE NO 380 OF 2016**

**IN THE MATTER OF THE ESTATE OF THE MARY MUMBI MWANGU – (DECEASED)**

**RULING**

1. By way of an amended summons for confirmation of grant dated 6th July, 2017, Jack Mwangi Ndirangu the administrator of the estate of Mary Mumbi Mwangi (Deceased) seeks orders:

1(a) That this court be pleased to order that the grant herein be confirmed notwithstanding that a period of six (6) months has not lapsed since the grant was made.

2. That costs of this application be provided for.

2. The application is based on the grounds that:

- a) The beneficiaries consent to this application
- b) Funds are needed urgently to pay school fees for dependants of the petitioner.
- c) The estate does not have capital assets.

3. These facts are reiterated in the supporting affidavit and the mode of distribution is provided for under paragraph 5 of the affidavit. Consents to the distribution are annexed.

4. I have considered the application, the supporting grounds and affidavit on record together with the annexures.

5. I am persuaded that this is a proper case for the confirmation of grant notwithstanding that six (6) months have not elapsed since the issuance of the grant.

6. Consequently, I confirm the grant herein in terms of paragraph 5 of the supporting affidavit.

Costs shall be in the cause.

**Dated, Signed and Delivered at Nakuru this 23rd day of February, 2017.**

**A. K. NDUNG'U**

**JUDGE**