



**REPUBLIC OF KENYA**

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

**SUCCESSION CAUSE NO. 2749 OF 2002**

**IN THE MATTER OF THE ESTATE OF NAGINDAS RAMJI PARMAR (DECEASED)**

**RULING**

1. On 11<sup>th</sup> March 2014 I made an order *suo moto*, under section 76 of the Law of Succession Act, Cap 160, Laws of Kenya, revoking the grant of probate herein after the executors had failed to seek its confirmation ten (10) years after the grant was made to them.
2. The executors have now approached the court, by a Motion dated 1<sup>st</sup> December 2016, seeking the setting aside of the order of 11<sup>th</sup> March 2014 and extension of time to apply for confirmation. The application was served. It is not opposed. I shall grant it as prayed.
3. However, the application for confirmation of grant shall be filed within thirty (30) days of date of this order, failing which the order in paragraph 2 above shall lapse and the orders of 11<sup>th</sup> March 2014 shall stand automatically reinstated.

**DATED, SIGNED and DELIVERED at NAIROBI THIS 30<sup>TH</sup> DAY OF JUNE, 2017.**

**W. MUSYOKA**

**JUDGE**