



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
MILIMANI LAW COURTS
SUCCESSION CAUSE NO. 1266 OF 2017
IN THE MATTER OF THE ESTATE OF J K T (DECEASED)

RULING

The Applicant V M M and proposed Co-Administrator R N (Mother In-law) filed application under certificate of urgency for a special limited grant for the following reasons;

The Applicant and deceased herein are married as shown by the annexed marriage certificate. They are parents to this child as per the birth certificate attached. There is the Chief's letter of 29th September, 2017 to confirm the Applicant as widow and the family of the deceased. The deceased died on 14th August, 2017 as per the copy of death certificate attached.

As the Applicant seeks to pursue obtaining of full grant there are pressing circumstances of payment of school fees and expenses and subsistence of the family awaiting the processing of the grant.

The child J S T is a student at [particulars withheld] Preparatory School and there are school fees arrears and school fees that will be due in the coming term before the full grant is obtained. The Court finds that the above circumstances are special and urgent and require the special limited grant for the school fees and up keep of the child and widow.

The Applicant has attached the requisite documents as filed (list attached). The written consents of the beneficiaries are married as the child is a minor.

The Court grants the special limited grant in the following terms;

1. School fees and expenses for J S T shall be paid if and when due from the following Bank Accounts of J K T at Kenya Bankers Sacco A/C [particulars withheld] as per the 3 Invoice attached from [particulars withheld] Preparatory School as follows;

Term 3	-	2017 Kshs.121,200/=
Term 1	-	2018 Kshs.173,400/=
Term 2	-	2018 Kshs.157,400/=

through EFT from the Bank directly to the [particulars withheld] Preparatory School.

2. The following amounts/funds shall be remitted to the widow V M M as follows;

- a) Kshs. 96,300/= for the child's school trip in November, 2017.
- b) Kshs. 40,000/= for the child's school expenses for 2018 (uniform, books etc)
- c) Kshs. 300,000/= for subsistence and up keep of the family pending the grant being issued.

3. The administrators to process and obtain full grant under Section 67 Law of Succession Act Cap 160 within 120 days from today.

It is so ordered.

DELIVERED, SIGNED & DATED IN OPEN COURT IN NAIROBI ON 23RD OCTOBER, 2017.

M.W.MUIGAI

JUDGE