

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MACHAKOS

SUCCESSION CAUSE NO. 202 OF 2014

IN THE MATTER OF THE ESTATE OF SAMUEL KATUMO NGUTU (DECEASED)

RULING

Upon an application for confirmation of Grant dated 16th June 2015 and upon considering the proposed distribution of part of the Estate to M/S Uviluni Investments Limited where the beneficiaries are said to be shareholders, the Court considers that a further affidavit is necessary, for the beneficiaries, firstly, to indicate their concurrence to the position by operation of the law that as a separate legal entity the said company, not being a beneficiary will have to pay stamp duty for the transaction (and any necessary for consent for transfer of agricultural land), and secondly, to clarify that the widow, Ruth Wayua Ngutu who holds 36 shares in the Company against the other beneficiaries shares of 9 each, shall hold her 36 shares on her behalf and on behalf of the three minors, Venus, Reuben and Dan, as proposed in paragraphs 3, 4, and 5 of the Consent to the Mode of Distribution of the Estate filed on 17/6/2015.

DATED AND DELIVERED THIS 16TH DAY OF MARCH 2016.

EDWARD M. MURIITHI

JUDGE

In the presence of: -

Mrs. Nyaata for Miss Ngatia for the Applicants

No appearance for the Respondent

Ms. Doreen - Court Assistant.