

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

SUCCESSION CAUSE NO. 2963 OF 2014

IN THE MATTER OF THE ESTATE OF JULIA GATHONI NGANDO (DECEASED)

RULING

1. The summons for revocation of grant dated 4th November 2014 is incredibly vague. It seeks revocation of a grant that was allegedly made on 29th August 2014. I have carefully perused through the file of papers herein and there is no evidence that a grant of that nature was ever made by the court in this cause. There is no evidence whatsoever that a petition for such grant was ever filed in the matter.
2. The application does not indicate whether the grant had been issued by the lower court. There is no reference at all to any proceedings before a lower in the body of the application. Similarly, the affidavit in support does not say a word about it. The annexures to the affidavit do not help either.
3. In view of the above there cannot be anything for me to determine. The application is misconceived, incompetent, uncertain, imprecise and an abuse of the court process. I hereby strike it out. The respondents shall have the costs thereof.

DATED, SIGNED and DELIVERED at NAIROBI this 18TH DAY OF NOVEMBER, 2016.

W. MUSYOKA

JUDGE