

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT GARISSA

SUCCESSION CAUSE NO. 38 OF 2015

IN THE MATTER OF THE ESTATE OF RASHID MUKTAR SHIDE (DECEASED).

RULING

Before me is an application for confirmation of grant dated 29th July 2016 filed by the Assistant Public Trustee Garissa.

Letters of administration herein were issued to the Public Trustee on 12th July 2016. This application was thus filed before the statutory period of 6 months had elapsed. However, the Assistant Public Trustee Mr. Miyogo stated verbally in court that he filed the application for confirmation of grant before the lapse of the statutory 6 months period because the only asset is monetary, and that the beneficiaries were only the wife and son of the deceased. In addition, the Kadhi's Court had already determined the distribution, of the estate, as per Islamic Laws of inheritance.

I have myself seen the order from the Kadhi's court in Garissa – Estate of Rashid Muktar Shide (deceased) made on 11th September 2015 distributing of the assets herein, in accordance with Islamic Law of inheritance.

I thus find no reason to disallow the application. I allow the application for confirmation of grant. Distribution of assets will be as determined by the Kadhi's court. The letters of administration herein issued to the Public Trustee are hereby confirmed.

Certificate of confirmed grant to issue.

Dated and delivered at Garissa this 16th November 2016.

GEORGE DULU

JUDGE