



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KAKAMEGA
SUCCESSION CAUSE NO. 843 OF 2012

IN THE MATTER OF THE ESTATE OF OLOO ODUNGA alias OLOO NDUNGA (DECEASED)

RULING

Upon perusal of the grant of letters of administration intestate, I note that they were granted by this court (*Chitembwe, J*) on 8th November, 2012 to Fadriano Walalo Oloo, the applicant.

Furthermore, the summons for confirmation of the grant of administration intestate were taken out and filed in this court on 18th July, 2015. Since the grant of letters of administration on 8th November, 2012, it is well over six months, no challenge or objection has been filed in this court.

According to the affidavit in support of the summons for confirmation of grant of administration intestate, the beneficiaries of the Estate of Oloo Odunga alias Oloo Ndunga were as follows:

- a. Juma Oloo
- b. Pitalisi Odipo Oloo
- c. Odunga Oloo Silivanus
- d. Fadriano Walalo Oloo
- e. Prasideis Ahiambo Okumu
- f. Joseph Omudho Okumu
- g. Catherine Aoko
- h. Rose Agola

Two of those beneficiaries namely Rose Akola Timbula and Catherine Auma Ongove have filed in this court sworn affidavits in which they have surrendered their entitlement as beneficiaries in the Estate of the deceased. As a result, the administrator has filed a consent regarding the distribution of the Estate of the late Oloo Odunga alias Oloo Ndunga. The shares of those beneficiaries are set out in the distribution form filed in this court on 16th July, 2015.

I find that the beneficiaries are set out in the consent on distribution is valid. And for that reason, those beneficiaries are entitled to be registered as owners of their respective shares in respect of land parcel No. South **Kabras/Shemberere/1171**.

In the circumstances, I hereby confirm the said grant under **section 71 of the Law of Succession Act (Cap 160) Laws of Kenya**.

RULING DATED, SIGNED and DELIVERED at KAKAMEGA this 24th day of JULY, 2015

J.M. BWONWONGA

JUDGE

24.07.15