



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**SUCCESSION CAUSE NO. 1252 OF 2015**

**IN THE MATTER OF THE ESTATE OF ANTONY SHEM OTIENO ODHIAMBO (DECEASED)**

**RULING**

1. This matter was placed before me on 28<sup>th</sup> September 2015 for directions.
2. The petitioner herein had lodged the petition dated 22<sup>nd</sup> May 2015 in court on even date under certificate of urgency. The matter was placed before me on 26<sup>th</sup> May 2015. I allowed the petition and made a grant of letters of administration *ad colligenda bona* to Mitchell Menezes and Amanda Reenvelle Obongo.
3. A draft of the limited grant of letters of administration *ad colligenda bona* dated 26<sup>th</sup> May 2015 was placed before me on 29<sup>th</sup> May 2015 for my signature. I declined to sign the certificate on account of the manner it had been drafted. I directed the Deputy Registrar to have the same listed for mention for further directions. I believe the mention on 28<sup>th</sup> September 2015 was in compliance with the directions I gave on 29<sup>th</sup> May 2015.
4. I had intended that the petitioners be issued with a grant of letters of administration *ad colligenda bona*, limited in the usual manner, to the collection and preservation of the estate pending the making of the full grant, for such grant does not leave room for anything else other than collection of the estate and its preservation.
5. I note that there is a special limited grant in force. I believe a grant of letters of administration *ad colligenda bona* would not affect the special limited grant. I therefore hereby direct the Deputy Registrar to accordingly issue a grant in the terms set out in paragraph 4 above.

**DATED, SIGNED and DELIVERED at NAIROBI this 25<sup>TH</sup> DAY OF SEPTEMBER, 2015.**

**W. MUSYOKA**

**JUDGE**