

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

SUCCESSION CAUSE NO. 412 OF 2011

IN THE MATTER OF THE ESTATE OF PETER MUIYAE MURANI (DECEASED)

RULING

1. The Summons for determination is dated 5th October 2011.
2. I note that it relates to property known as Ngong/Ngong/4348 and 4354. The same property is the subject of **Kiambu SRMCSC No. 106 of 1999**.
3. The status of the proceedings in **Kiambu SRMCSC No. 106 of 1999** is uncertain as the copy of the proceedings in the cause attached to the affidavit in support of the affidavit is incredibly faded.
4. It would be imprudent to make orders on the application of 5th October 2011 without first having sight of the court file in **Kiambu SRMCSC No. 106 of 1999**.
5. I do hereby direct the Deputy Registrar to call for the lower court's file. The matter shall be mentioned after thirty (30) days to confirm availability of the file.

DATED, SIGNED and DELIVERED at NAIROBI this 25TH DAY OF SEPTEMBER, 2015.

W. MUSYOKA

JUDGE