

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MILIMANI

SUCCESSION CAUSE NO. 452 OF 2012

IN THE MATTER OF THE ESTATE OF MUTHONI MBUA –(DECEASED)

RULING

1. The grant herein was made on 11th July 2012 and confirmed on 5th February 2013. Ruth Muthoni Kariuki has moved the court by an application dated 21st June 2013 for the revocation of the said grant.
2. The applicant has contemporaneously filed an application of even date seeking orders to preserve the estate pending the hearing and disposal of the revocation application.
3. The grant was confirmed on 5th February 2013 and a certificate of confirmation of grant of even date issued. The distribution proposed in the certificate may be implemented by the administrators. If that happens there is likelihood that the revocation application will be rendered nugatory.
4. When the matter was placed before Mabeya J. under certificate of urgency on 25th June 2013, His Lordship granted interim orders. There is a case for confirming the said orders. I therefore hereby confirm the orders of 25th June 2013. The implementation of the certificate of confirmation of grant dated 5th February 2013 shall be stayed pending hearing and disposal of the revocation application dated 21st June 2013.
5. There shall be no orders as to costs.

DATED, SIGNED and DELIVERED at NAIROBI this 31st DAY OF January, 2014.

W. MUSYOKA

JUDGE