

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

MILIMANI LAW COURTS

FAMILY DIVISION

SUCC. CAUSE NO. 1964 OF 2011

IN THE MATTER OF THE ESTATE OF JEFITHER NYAENYA GISORE– (DECEASED)

PENINA KEMUNTO NYAENYA.....APPLICANT

VERSUS

DANIEL GISORE NYAENYA.....RESPONDENT

RULING

1. The deceased JEFITHER NYAENYA GISORE died intestate on 11th June 2011 in Nairobi. He left two widows, the applicant PENINA KEMUNTO NYAENYA and NANCY SIKUKUU NYAENYA. He also left children who include the respondent. The applicant and the respondent were on 5th October 2012 issued with grant of letters of administration which were confirmed on 7th October 2013. This was done after the beneficiaries to the estate were identified and the respective shares allocated in a schedule. The complaint by the applicant is that the respondent has refused to cooperate to execute the necessary land and/or share documents to enable each beneficiary to benefit as is indicated in the certificate of confirmation. The application was served but did not elicit any response.
2. I allow the application dated 30th June 2014, but direct that the transfer documents be signed jointly by the applicant and the Deputy Registrar to effect the sharing of the estate as indicated in the certificate of confirmation.

DATED and DELIVERED at NAIROBI this 23rd July, 2014

A.O. MUCHELULE

JUDGE