

REPUBLIC OF KENYA

IN THE HIGH COURT AT KAKAMEGA

SUCCESSION CAUSE NO: 759 OF 2009

IN THE MATTER OF THE ESTATE OF ABISAI MMBULIKA CHEGERO.....DECEASED

BETWEEN

DORCAS ANDEYO MMBULIKA.....PETITIONER

AND

ANSON AVIONA MMBULIKAOBJECTOR

R U L I N G

The grant herein was confirmed on 20/2/2012. The objector **Anson Ariona Mmbulika** was not present when the grant was confirmed. He had filed an application dated 26/4/2012 seeking the revocation of the grant. The petitioner filed a replying affidavit.

I have gone through the pleadings and do direct that although the court had resolved not to take oral evidence, there is need to hear all the parties herein. This will enable the court know what constitutes the estate and who are the lawful beneficiaries. I do order that restrictions be placed on plot numbers **KAKAMEGA/BUGONDA/2142, 1434 and 2715** and if the plots were sub divided then the land Registrar should place restrictions on all the subsequent sub-divisions pending the determination of this cause. There shall be no order as to costs.

Dated, delivered and signed at Kakamega this 17th day of September 2014

SAID J. CHITEMBWE

JUDGE