

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
SUCCESSION CAUSE NO. 2557 OF 2003

IN THE MATTER OF THE ESTATE OF JAMES MUNDHE ADEDE – (DECEASED)

RULING

1. The application for confirmation is dated 21st August 2013. It proposes distribution of the estate in the terms set out in paragraph 9 of the affidavit sworn in support of the application.
2. When the matter came up on 30th October 2013, it transpired that one beneficiary, Kesia Akinyi Asewe, a widow of the deceased was disputing the proposed distribution. It was directed that she should file an affidavit of protest. The matter was fixed for mention on 4th December 2013 to confirm the filing of the affidavit of protest. She did not file the same by 4th December 2013, and a further mention was given for 11th December 2013. She did not file the protest. On 26th March 2014 a date was given for ruling.
3. As the application dated 21st August 2013 is not opposed, I do hereby grant the same. The grant made on 28th November 2003 is hereby confirmed. The estate shall devolve as per paragraph 9 of the affidavit in support of the application dated 21st August 2013.
4. Costs shall be in the cause.

DATED, SIGNED and DELIVERED at NAIROBI this 28th DAY OF November 2014.

W. MUSYOKA

JUDGE

In the presence of Mr. Odhiambo Ochieng advocate for the administrator.