

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

SUCCESSION CAUSE NO. 208 OF 2003

IN THE MATTER OF THE ESTATE OF MUNGAI WAMWEA (DECEASED)

NGUGI MUNGAI.....1ST PETITIONER/RESPONDENT

NJOGU MUNGAI.....2ND PETITIONER/RESPONDENT

VERSUS

DAVID KAMANDE JEREMIAH.....INTERESTED PARTY

RULING

1. The application dated 18th February 2013 seeks dismissal of the application dated 31st January 2003 for want of prosecution. It is stated that the application was last in court on 19th December 2011. No steps have been taken to prosecute in since then.
2. There is on record an affidavit of service sworn on 29th April 2013 and filed in court on the same date purporting that the application dated 18th February 2013 was served on the advocates for the respondents on 14th March 2013. No reply was filed and therefore the said application is unopposed.
3. The application dated 18th February 2013 is hereby allowed with costs to the applicant.

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

W. MUSYOKA

JUDGE

In the presence of Mr. Njenga advocate for the respondents.