

REPUBLIC OF KENYA
HIGH COURT AT NAIROBI (NAIROBI LAW COURTS)
MISCELLANEOUS APPLICATION 730 OF 2012
IN THE MATTER OF THE MENTAL HEALTH ACT
(CAP 248 LAWS OF KENYA)

AND

IN THE MATTER OF M. Z. G.

AND IN THE MATTER OF

G. S. Z. 1ST PETITIONER

G. B. Z. 2ND PETITIONER

RULING

The petitioners are the children of M.Z.G. I am satisfied that on the basis of the supporting affidavit of G.B.Z. sworn on 20th December 2012, that M. Z. G. is sick and lacks the capacity to manage his own affairs as a result of illness. According to the evidence he is currently at the Nairobi Hospital ICU where he is unconscious and on life support. All the subject's children have consented to the petitioners to manage their father's affairs pending treatment. In the circumstances and in accordance with the provisions of **section 26** of the *Mental Health Act*, I order as follows;

- (1) G. S. Z. and G. B. Z. are hereby appointed as managers of the estate of M. Z. G. with such powers to operate his account at the United Nations Federal Credit Union particularly Account No. *{particulars withheld}* with all necessary powers to sign documents including cheques, loan applications, withdrawal slips, bankers cheques applications, money transfer in order to facilitate the payment of medical bills and expenses and any further treatment and payment of any other costs and expenses incidental to such treatment.
- (2) This order shall remain in force for three (3) months and the petitioners shall be at liberty to apply for further extension.
- (3) The costs of the application shall be in the cause.

DATED and DELIVERED at NAIROBI this 3rd day of January 2013

D.S. MAJANJA
JUDGE