

REPUBLIC OF KENYA

High Court at Nairobi (Nairobi Law Courts)

Succession Cause 172 of 2011

IN THE MATTER OF THE ESTATE OF MAKUMI NJOROGI (DECEASED)

RULING

The administrators of the estate of the deceased have raised an objection, through a notice dated 24th September 2012, to the Summons for Revocation dated 25th November 2011. I note that the Summons, and the preliminary objection raised to it, relate to proceedings that were conducted by the Thika magistrates court in Succession Cause No. 167 of 2001. The file in respect of the Thika matter has not been availed despite the court making several orders requiring its production. I find myself unable to decide the preliminary objection without having sight of the proceedings in Thika RMCSC No. 167 of 2001. I direct the Deputy Registrar to cause the said file to be availed by the Thika Chief Magistrate's Court.

DATED, SIGNED and DELIVERED at NAIROBI this 29th DAY OF April, 2013.

W.M. Musyoka
Judge