

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

SUCCESSION CAUSE NO: 185 OF 1987

AND

IN THE MATTER OF THE ESTATE OF SIMON MWANGI KABOGO (DECEASED)

RULING

The application dated 25th February 2013 is for substitution of a dead administrator.

Grant was made in the matter on 18th May 1987 to Francis Kamau Kabogo, Edward Mbui Kabogo and Hellen Wachuka Kabogo. Edward Mbui Kabogo and Hellen Wachuka Kabogo are now dead. Copies of their certificates of death relating to their deaths are on record.

The applicant would like the court to confirm that he, Francis Kamau Kabogo, continues to act as the sole administrator. Under **Section 81** of the Law of Succession Act, Cap 160, Laws of Kenya, the powers and duties of personal representative vest in the survivor on death of one of them. Consequently, following the death of the two administrators their powers and duties vest in Francis Kamau Kabogo.

I will therefore allow the application dated 25th February 2013. A grant of letters of administration *de bonis* shall issue to Francis Kamau Kabogo for the purpose of completing administration.

DATED, SIGNED and DELIVERED AT NAIROBI THIS 27th DAY OF June 2013.

W.M. Musyoka

JUDGE