

**REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT KITALE**

Succession Cause 35 of 2010

IN THE MATTER OF THE ESTATE OF JOHNSTONE KHISA KILOLI

(DECEASED)

AND

**KESHA NASIKE MUSUNGU
MARY NANJALA LUSANO.....PETITIONER.**

RULING.

There is no doubt from annexure JKKVI that a grant was issued by Mbogholi – J on 28/1/2009. According this is a duplication of the process hence an abuse of the process, of this court.

This application dated should be withdrawn by the applicant by 3/6/2010. If not the respondent to argue his notice of preliminary objection on 3/6/2010. The respondent to serve the firm of Mwangi Wahome advocate with notice for hearing on 3/6/2010.

Dated and delivered at Kitale this 6th day of May, 2010.

N.R.O. OMBIJA.

JUDGE.