



IN THE HIGH COURT OF KENYA
AT KERICHO
Succession Cause 84 of 2007

ESTATE OF THE LATE THOMAS KIPRONO ROP DECEASED

AND

PRISCILLA CHEBET SAMBU) 1ST PETITIONER

IBRAHIM KIBET RONO) 2ND PETITIONER

RULING

Confirmation of grant

I: Summons for confirmation of grant dated 8th January, 2009

1. Originally the summons for confirmation of grant was filed on 18th August, 2008. Because of deponing of application in the second persons the applicant at the time withdrew the application (*order 18 r 5 Civil Procedure Rules was contained*).
2. A new one was filed on 8th January, 2009.
3. The deceased Thomas Kiprono Rop passed away on 15th September, 2004 aged 45 years old. The cause of death being cardiopulmonary arrest due to liver cirrhosis.
4. His widow filed for letters of grant intestate on 30th March, 2007. She had seven children, all minors, except the oldest son whom she used as a co-administrator to comply with Section 58 of the Act. Law of Succession Cap 160.
5. Grant of letters intestate were issued on 17th May, 2007 (*Musinga J*) and the Kenya Gazette had been published Notice 3277 on 3rd April, 2007, three (3) days after filing the papers.

III: Findings

6. The appointment is reasonable in the circumstances. The minors have been provided for from the Death gratuity and, the head of cattle and plots of land. The widow take the vehicle as entitled to by the Section 35 of the Law of Succession Act.
7. The amount of monetary assets for the minor must be invested in an interest earning account with leave to the administrator, to accesses only the income's interest or interest from the income till the children are 18 years old.
8. I accordingly order that accounts be filed within six (6) months at the close of the Probate and

confirmation hearing.

9. The application is granted subject to disclosure of sums required to be invested for the minors.

DATED this 16th day of June, 2009 at KERICHO

M.A. ANG'AWA

JUDGE

Advocates

F. O. Koko advocate instructed by M/S Obondo Koko & Co. advocates

for the Petitioners/applicants - present