



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

**AT ELDORET**

**Succession Cause 42 of 2001**

**IN THE MATTER OF THE ESTATE OF DR. OBBY MWANGI NJUGUNA (DECEASED)**

**RULING**

This is an application by **GRACE WANJIRU MWANGI**, the Petitioner herein for orders that the Grant issued to her in respect of the estate of **DR. OBBY MWANGI NJUGUNA** on 3<sup>rd</sup> May, 2001 and which was confirmed on 10<sup>th</sup> January, 2002 be rectified.

The Applicant applied for the Grant of Letters of Administration in respect of the estate of the deceased which was issued on 3<sup>rd</sup> May, 2001 and confirmed on 10<sup>th</sup> January, 2002 in terms as indicated in the Certificate of Confirmation. But she has discovered that the deceased owned additional properties which she did not include as part of the assets of the estate of the deceased namely SHARE CERTIFICATE NO. 780 from FIRESTONE EAST AFRICA LIMITED and SHARE CERTIFICATE NO. 31305 from CO-OPERATIVE BANK OF KENYA LIMITED which ought to have been included in the list of assets of the estate of the deceased.

She has produced Share Certificates which bear the names of the deceased.

I have considered the application in light of the affidavit evidence on record as well as the annexures thereto and I am persuaded that the orders sought ought to be granted.

Accordingly, I allow the application in terms of prayers 1 (a) and (b) and 2 of the Summons for Rectification of Grant dated 17<sup>th</sup> August, 2009.

**DATED AT ELDORET THIS 19<sup>TH</sup> DAY OF OCTOBER, 2009.**

**J. L. A. OSIEMO**

**JUDGE**