

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT EMBU

Succession Case 358 of 2007

IN THE MATTER OF THE ESTATE OF THE LATE JAMES NJOKA NDOGO.DCD

AND

PETER MWAI MBURATI.....PETITIONER

RULING

Application before court is for a limited grant by an applicant who is praying for a grant and litem to be issued to another person Rose Wanjiru Njoka to be issued with the grant.

The person named Rose Wanjiru Njoka has opposed the application saying one cannot be forced to take out a grant. She is right and I find no special circumstances to justify the grant being issued to the proposed personal representative. The application is dismissed with costs to Respondent

Dated this 23rd January, 2008.

J. N. KHAMINWA

JUDGE

23/1/2008

Khaminwa - Judge

Njue- Clerk

Petitioner present in person

Ruling read in open court.

J. N. KHAMINWA

JUDGE