



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

Misc Succ Case 33 of 2004

IN THE MATTER OF THE ESTATE OF DANIEL MUGO NJUKI-DECEASED

AND

BANCY WANJIRA MUGO.....APPLICANT/OBJECTOR

VERSUS

ADELAIDE MUTHONI MUGO.....RESPONDENT/PETITIONER

RULING

The applicant filed application dated 27/6/2007. Orders sought are as a result of the order revoking a grant made earlier.

Upon a revocation of a grant the estate has no Administrator. Therefore a grant ought to be issued to another person. In this case the protester Bancy Wanjira Mugo appears to be the nearest of kin of deceased and therefore she has a right to a grant of Administration of the Estate of her father the deceased Daniel Mugo Njuki.

I therefore order that a grant be issued to the said Bancy Wanjiru Mugo. Regarding this application it is stated that the previous administrator did sell some land of deceased to some person. Section 93 provides for the validity of such transferred assets to purchasers.

In the circumstances the purchasers should be heard before orders are granted. I therefore order that the application be served upon all of them for hearing of this application.

Dated this 14th February, 2008.

J. N. KHAMINWA

JUDGE

14/2/2008

Khaminwa – Judge

Njue – Clerk

Bancy present

Read in open court.

J. N. KHAMINWA

JUDGE