



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

**Misc 155 of 2006**

**FRANCIS GAKURU WANGOCHI.....APPLICANT**

**VERSUS**

**MARY WANJIKU KIMINDU.....1<sup>ST</sup> RESPONDENT**

**JOHN MUTONYI KIMINDU.....2<sup>ND</sup> RESPONDENT**

**RULING**

Application dated 2/11/2006 seeks stay or execution pending hearing and determination of Revocation of Grant in Succession Case No. 21 of 1998.

I have perused the application and the lengthy supporting affidavit. I have also perused Replying Affidavit and heard submissions of both counsel. It is my view that stay is appropriate pending the outcome of revocation to avoid much costs and expenses. I allow the application and grant orders sought. The Applicant shall give security by way of undertaking for damages, costs and other expenses that may be suffered to any party for granting of this order.

Costs of application to be in the cause.

Dated this 10<sup>th</sup> July, 2007.

**J. N. KHAMINWA**

**JUDGE**

**10/7/2007**

**Khaminwa – Judge**

**Njue – Clerk**

**Mr. Ndewa**

**Mr. Gitonga**

**Ruling read in open court.**

**J. N. KHAMINWA**

**JUDGE**