



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

**Misc. Appli. 14 of 2004**

**GRACE WAIRIMU NJANJA.....APPLICANT**

**VERSUS**

**ELIJAH NJAGI NJANJA.....RESPONDENT**

**RULING**

Upon reading the application and upon hearing the Applicant Grace Wairimu Njanja and there being no opposition, I am satisfied that section 76 of Succession Act is proved the grant was obtained fraudulently by concealment of the fact that the applicant the widow of deceased who had first priority was alive.

I therefore allow application and grant orders sought.

No order as to costs.

3<sup>rd</sup> Oct2007

**J. N. KHAMINWA**

**JUDGE**