

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

Succession Cause 2466 of 2006

IN THE MATTER OF THE ESTATE OF DR. STANLEY MAORE MUGWIKI (DECEASED)

PETITION FOR LETTERS OF ADMINISTRATION AD COLLIGENDA BONA

RULING

On 16.10.06 Julia Wanja Maore and Joshua Gitonga of P.O. Box 401, Maua, Meru filed the above petition in Nairobi following the death of the deceased herein reportedly at the hands of thugs on 23.08.06.

I granted the prayer sought to enable the applicants described as widow and nephew of the deceased, respectively, to pursue two court cases referred to at paragraph 9 (e) in the affidavit sworn by Julia Wanja Maore on 12.1.06 in support of the petition. Thereafter I directed that information be obtained relating, *inter alia*, to deceased's indebtedness and requirements for fees and medical expenses and fixed the matter for mention on 07.11.06. At the mention, the applicants' counsel was able to present documents to the effect that the first applicant Julia and her children have attended Chiromo Lane Medical Centre, Nairobi for counseling following the trauma caused by the brutal killing of the late Dr Stanley Maore Mugwika. There is a prescription of drugs for Julia Maore dated 23.10.06 but there is no accompanying receipt for the prescribed drugs. No documentary evidence relating to medical expenses has been given. There are receipts for fuel issued in Maua, Meru amounting to about Kshs.19,600/=. None of the other information alluded to in the orders made on 23.10.06 has been availed.

I appreciate that this must be a difficult period for the applicants but they should make greater efforts to furnish the court with requisite information to assist it in making informed decisions on the matter at hand. I reiterate that the information alluded to in the orders made on 23.10.06 should be availed before the application is given further consideration. It is so ordered.

Delivered at Nairobi this 15th day of November, 2006.

B.P. KUBO

JUDGE