

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KAKAMEGA
Succession Cause 19 of 2000

IN THE MATTER OF THE ESTATE OF JAMES UNGUSO NASIBI (DECEASED)

A N D

PATRICK ONGUSO NASIBI

FLORA AOKO

JERIDA AMWEYI

CLARA ONGUSO.....APPLICANTS

R U L I N G

On 5th June, 2001, the Grant of Letters of Administration intestate in the estate of the late James Unguso Nasibi who died on 5-7-96 was made to his widows Kezia Lydia Onguso, Clara Aluso and Jerida Amwayi. On 16.11.2000, a consent had been filed seeking to substitute Patrick Onguso Nasibi for Kezia I. Onguso as one of the administrators. By summons for confirmation of the Grant dated 4.3.2005 supported by an affidavit sworn on even date by Clara Aluso, the grant was sought to be confirmed. A further affidavit in support of the said summons was on 13.5.2005 filed by Patrick Onguso Nabisi. The manner in which the estate is sought to be distributed is reflected in the consent document dated 4.3.2004 signed by all the beneficiaries who are adults and more particularly in the affidavit sworn on 4.3.2005 by Clara Aluso and Patrick Onguso Nasibi in support of the application of the summons for the confirmation of the Grant.

I am satisfied that the Grant was rightly issued, and that there are no minors or dependants in this case and that the provisions of the Law of Succession Act Cap.160, have been complied with. Accordingly, I confirm the said Grant of Letters of Administration intestate. It is so ordered.

Dated at Kakamega this 3rd of November, 2005.

G. B. M. KARIUKI

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