



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISII

SUCCESSION CAUSE NO.278 OF 2002

IN THE MATTER OF THE ESTATE OF CHRISTOPHER BIRUNDU

OYARO DECEASED

AND

**IN THE MATTER OF AN APPLICATION FOR REVOCATION AND/OR
ANNULMENT OF GRANT OF LETTERS OF ADMINISTRATION INTESTATE**

ELIZABETH NYANCHAMA BIRUNDU

EUNICE BIRUNDU

MARY BIRUNDU APPLICANTS/OBJECTORS

ANASTACIA BIRUNDU

CLEMENCIA BIRUNDU

VERSUS

ELIZABETH KEMUNTO NYANTIKA PETITIONER/RESPONDENT

RULING:

Applicant sought revocation and annulment of Grant of Letters of Administration issued to Petitioner on 18th February 2003. The Petitioner conceded to the application except the deregistration of the lands in her name.

I have considered the submissions. As I have said the Petitioner did concede to the application. The application is therefore allowed. Grant of Letters of Administration issued on 18th February 2003 is hereby revoked. Fresh Letters of Administration granted in the joint names of the Objector and the Petitioner.

As to the revocation of registration of land No.NYARIBARI

CHACHE/B/B/BOBURIA/3002 and L.R. NO.WEST KITUTU/BOGUSERO/771 the same is rejected until all the assets of the deceased and properly listed and ready for distribution.

The prohibitory order however issued to remain in force until the cause is fully determined.

Costs in the cause.

KABURU BAUNI

JUDGE

18/5/04

Signed, dated and delivered on 18/5/04.

Mr. Otiso for Objector.

KABURU BAUNI

JUDGE