

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
OF KISII

Succession Cause 22 of 2004

IN THE MATTER OF THE ESTATE OF NICANOR ODUMO ABOK DECEASED

AND

SOPHIA ATIENO ODUMO APPLICANT

VERSUS

ROSE AKEYO ODUMO RESPONDENT

RULING:

The applicant seeks court to extend time for her for lodging of objections to the grant made on 5th February 2004.

The applicant is a co-wife of the respondent. Both were wives of the deceased. Applicant is the 2nd wife. She had filed a citation directed to respondent requiring her to file the petition, as she was the first wife. She submitted that after the orders were given the respondent filed the petition. However applicant learnt about it much later.

The application has merit. Applicant stated that she apprehends that the respondent may be prejudice against her. Both are co-wives and there is no harm in allowing the prayer.

Application is granted. Applicant granted leave to file objections within 30 days.

Costs in the cause.

Dated 26th October 2004.

KABURU BAUNI

JUDGE

26/10/04