

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
SUCCESSION CAUSE NO. 1446 OF 1999
IN THE MATTER OF THE ESTATE OF THE LATE WAWERU
KABIRO – (DECEASED)

R U L I N G

Before me is an application to revoke the confirmation of grant of letters of administration issued on 6th December, 2000.

The two glaring facts present themselves from the affidavits filed by both the parties pursuant to the said application. They are:-

1. In spite of the averments made by the administrator in the affidavit in support of the application for confirmation that the beneficiaries have consented to the confirmation, no such consent is before the court. What is on record is the consent to issue the grant of letters of administration to the present administrator.
2. A portion of the estate is distributed to Eunice Njoki Waweru who died earlier to the grant of letters of administration.

The above two factors are, in my humble view, sufficient to revoke the confirmation of grant and I hereby order that.

I do not order costs herein.

Dated and delivered at Nairobi this 18th day of May, 2001.

K. H. RAWAL

J U D G E