



REPUBLIC OF KENYA



**In re Estate of the Late Nyamo Morira - Deceased (Succession Cause
164 of 2013) [2025] KEHC 1054 (KLR) (17 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 1054 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISII
SUCCESSION CAUSE 164 OF 2013
TA ODERA, J
FEBRUARY 17, 2025**

**IN THE MATTER OF
ANDREA MAISHUBA MORIRA PETITIONER**

RULING

1. Fabiano Masabo, Morira the applicant herein filed summons for substitution and rectification of grant dated 16.7.24. He sought the orders on the grounds that the grant of letters of administration were issued to Andrea Maishura Marira on 20.1.14 and confirmed on 10.3.16. The said administrator died on 13.12.2013 before completion of administration. The applicant now wants him to be substituted with Elmina Bwenda Andrea as an administrator and also as a beneficiary.
2. The application is not opposed.
3. I have carefully considered the application and I have seen the death certificate of the administrator annexed to the supporting affidavit.
4. I am satisfied that the administrator is deceased and there is need to revoke the grant and substitute him with Elmina Bwenda Andrea as an administrator as prayed.
5. As for substitution as a beneficiary this is not provided for under Section 74 of the *Law of Succession Act* as it is not an error or omission. A separate succession cause for the estate of Andrea Maishura Marira (deceased) be filed.
6. The application is thus partially allowed. No orders as to costs. Administration be concluded within 90 days. Mention on 10.6.2025.

T.A ODERA

JUDGE

17.2.25

Delivered virtually in the Presence of:



The applicant

All the beneficiaries.

Court Assistant: Oigo

