



**In re Estate Koitat ole Kasikwa (Deceased) (Probate & Administration
E003 of 2023) [2025] KEHC 4773 (KLR) (7 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 4773 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAROK
PROBATE & ADMINISTRATION E003 OF 2023**

CM KARIUKI, J

APRIL 7, 2025

IN THE ESTATE OF KOITAT OLE KASIKWA (DECEASED)

AND

BETWEEN

ROSE KASIKWA 1ST PETITIONER

MATHEW P KASIKUA 2ND PETITIONER

AND

LETUOTO ENE SUKANTET APPLICANT

RULING

1. The instant Petition is lodged by Rose Kasikwa and Mathew Parsimei Kasikwa as the Petitioners. Rose Kasikwa had already procured a letter dated 11th January, 2025 from a local assistant chief introducing her as a widow of the late Koitat Ole Kasikwa.
2. In their joint affidavit sworn by both the petitioners on 28th October, 2022 Rose Kasikwa was listed as widow and her children 7 in numbers were all beneficiaries as children of the deceased.
3. Subsequently letters were issued and confirmed on 13th February, 2024 thus attracting application dated 26th June, 2024 for revocation of grant.
4. By affidavit sworn and dated on 19th December, 2024 by Rose Kasikwa titled “Matter of Retraction/Correction.” She revoked all her previous averment in affidavit in support for petition. She denied that she was ever married by the deceased nor was he the father of her children. She accused 2nd Petitioner for interest in the matter to swindle rightful beneficiaries of the deceased.
5. When matter came for hearing on 18th March, 2025 she testified reiterating the content of her “Affidavit of retraction/Correction”. This prompted the advocate for the objector to intimate to court that as



there is apparent commission of forgery and attempted fraud offence, the court is allowing withdrawal of the matter to direct the DCI officers to investigate the offence which may have been committed and act accordingly.

6. The Petitioner has indicated that she deems the matter to be withdrawn for the purposes of the rightful heirs/beneficiaries to lodge their own P&A matter.
7. I will not deny her the right to withdraw the matter. The 2nd Petitioner was just an associate in the act deemed as crime or attempt to commit crimes and was joined as there were/was a minor in the listed beneficiaries.
8. Thus the court marks the matter withdrawn and the objector given liberty to lodge P & A matter.
9. This ruling and copies of the documents executed by the Petitioner including Assistant chief letter copies shall be served upon the DCI office Narok to investigate on whether there was any crime/ offences were committed by the Petitioners and action to follow thereafter.
10. The ODPP office to be served with ruling and copies of the documents to coordinate the processes in event of prosecution being preferred.
11. The Deputy Registrar of the High Court Narok to ensure transmission of the documents mentioned herein and this ruling to the stated offices

DATED, SIGNED, AND DELIVERED AT NAROK THROUGH TEAMS APPLICATION, THIS 7TH DAY OF APRIL, 2025.

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CHARLES KARIUKI

JUDGE

