



REPUBLIC OF KENYA



**KENYA LAW**  
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**In re Estate of Elisha Ooro Mboya (Deceased) (Succession Cause  
E003 of 2021) [2025] KEHC 5820 (KLR) (9 May 2025) (Ruling)**

Neutral citation: [2025] KEHC 5820 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT HOMA BAY  
SUCCESSION CAUSE E003 OF 2021**

**OA SEWE, J**

**MAY 9, 2025**

**IN THE ESTATE OF ELISHA MBUYA OORO MBUYA**

**RULING**

1. The summons dated 14<sup>th</sup> October, 2024 was filed by Josephine Mboya for orders that:
  - a. Grant of letters of Administration Intestate in respect of the Estate of Elisha Ooro Mboya, be issued in the joint names of herself, Joshua Mboya and Beatrice Akelo Mboya.
  - b. The costs of the application be in the cause.
2. The application was based on the grounds set out in the supporting Affidavit sworn by the applicant on 14<sup>th</sup> October, 2024, in which she deposed that the Court directed that the Grant be issued in their joint names after hearing an objection application filed herein by one of the beneficiaries.
3. I have perused the documents on record as well as the proceedings to date. The record confirms that indeed on the 8<sup>th</sup> November, 2023, the Court (Hon. Kiarie, J.) delivered a Ruling in respect of the objection application dated 9<sup>th</sup> June 2021. The application was filed by Beatrice Akello Mboya. The court ordered that:

“The deceased herein was in a polygamous union. It is not clear whether he had three or four wives for each of the present parties indicated differently. In order to expedite this matter, I make an order that the petitioner herein be joint petitioners with the representatives of the other two undisputed houses and all the beneficiaries and assets be listed before a formal grant can issue.”
4. The application was conceded to by counsel for the objector. In the premises, the summons dated 14<sup>th</sup> October, 2024 is hereby allowed and orders granted as follows:
  - a. That Grant of Letters of Administration Intestate be issued in the joint names of Josephine Mboya, Joshua Mboya and Beatrice Akelo Mboya.
  - b. That costs of the application be in the cause.



It is so ordered.

**DATED SIGNED AND DELIVERED VIRTUALLY AT HOMA BAY THIS 9<sup>TH</sup> DAY OF MAY 2025.**

**SIGNED BY: HON. LADY JUSTICE OLGA A. SEWE**

**THE JUDICIARY OF KENYA.**

**HOMABAY HIGH COURT**

**HIGH COURT DIV**

**DATE: 2025-05-09 16:21:48**

