



REPUBLIC OF KENYA



**In re Estate of Francis Omuzee Khasindu (Deceased) (Succession Cause 15 of 2010) [2025] KEHC 8101 (KLR) (11 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 8101 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT BUSIA  
SUCCESSION CAUSE 15 OF 2010**

**WM MUSYOKA, J**

**JUNE 11, 2025**

**IN THE MATTER OF THE ESTATE OF FRANCIS OMUZEE KHASINDU (DECEASED)**

**RULING**

1. I am called upon to decide a Motion, dated 24<sup>th</sup> February 2025. It is for substitution of a dead administratrix. When it came up, on 6<sup>th</sup> May 2025, I was informed that it had been served.
2. I have perused the record, and I have noted that service was effected upon Muri Mbugua & Company Advocates, via email, on 25<sup>th</sup> March 2025. I have very closely scrutinised the record, to establish whether the said Muri Mbugua & Company Advocates, are on record, and I have been unable to find evidence of that.
3. The only other Advocates, on record, apart from JO Makali & Company, Advocates for the applicant, is Mukisu & Company Advocates, for the petitioner. Mukisu & Company, Advocates, was not served.
4. The service of the application was unsatisfactory. I shall not determine the application before I see satisfactory evidence of service on the parties, being the two widows of the deceased, and his three sons and seven daughters, or their Advocates.
5. The matter shall be mentioned on 9<sup>th</sup> July 2025.

**DELIVERED, VIA EMAIL, DATED AND SIGNED IN CHAMBERS, AT BUSIA ON THIS 11<sup>TH</sup> DAY OF JUNE 2025.**

**WM MUSYOKA**

**JUDGE**

Mr. Arthur Etyang, Court Assistant.

Advocates

Ms. Masengeli, instructed by JO Makali & Company, Advocates for the applicant.

Mr. Mukisu, instructed by Mukisu & Company, Advocates for the petitioner.

