



REPUBLIC OF KENYA



In re Estate of James Owiti Kasera (Deceased) (Miscellaneous Succession Application 238 of 2025) [2025] KEHC 8289 (KLR) (9 June 2025) (Ruling)

Neutral citation: [2025] KEHC 8289 (KLR)

REPUBLIC OF KENYA

IN THE HIGH COURT AT KISUMU

MISCELLANEOUS SUCCESSION APPLICATION 238 OF 2025

A MABEYA, J

JUNE 9, 2025

IN THE MATTER OF THE ESTATE OF JAMES OWITI KASERA - (DECEASED)

AND

**IN THE MATTER OF AN APPLICATION BY GEORGE
MITHIGA OWITI & SARUYA BWOGA OWITI - APPLICANTS**

(From Original Maseno Senior Principal Magistrate Succession Cause No. E088 of 2024)

RULING

1. I have considered the geographical jurisdiction of the Magistrate's Courts of Maseno and Kombewa. I have also considered the constitutional imperative of access to justice under Article 48 of the [Constitution of Kenya](#).
2. In the exercise of the jurisdiction of this Court under section 18 of the [Civil Procedure Act](#), Cap 21 Laws of Kenya, this file is hereby withdrawn from Maseno Law Courts and transferred to Kombewa Law Courts for hearing and determination. The parties be notified.
3. Mention on 16/6/2025 before the Head of Station, Kombewa Law Courts for further directions.
4. This file is marked as closed.

It is so ordered.

DATED AND DELIVERED AT KISUMU THIS 9TH DAY OF JUNE, 2025.

A. MABEYA, FCI, Arb

JUDGE

