



REPUBLIC OF KENYA



In re Estate of Benard Ochieng Aginga (Deceased) (Miscellaneous Succession Application 170 of 2025) [2025] KEHC 7612 (KLR) (4 June 2025) (Ruling)

Neutral citation: [2025] KEHC 7612 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS SUCCESSION APPLICATION 170 OF 2025**

A MABEYA, J

JUNE 4, 2025

IN THE MATTER OF THE ESTATE OF BENARD OCHIENG AGINGA -(DECEASED)

AND

**IN THE MATTER OF AN APPLICATION BY LEILA
ACHIENG AKACHO AND JOCINTER AKINYI- APPLICANT**

(From Original Maseno Senior Principal Magistrate Succession Cause No. E020 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jurisdiction of this Court under section 18 of the [Civil Procedure Act](#), Cap 21 Laws of Kenya, this file is hereby withdrawn from Maseno Law Courts and transferred to Kombewa Law Courts for hearing and determination.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 10/6/2025 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 4TH DAY OF JUNE, 2025.

A. MABEYA, FCI, Arb

JUDGE

