



REPUBLIC OF KENYA



In re Estate of Shadrack Achola Gwar alias Shadrack Ochola Gwara (Deceased) (Miscellaneous Succession Application 143 of 2025) [2025] KEHC 7605 (KLR) (4 June 2025) (Ruling)

Neutral citation: [2025] KEHC 7605 (KLR)

REPUBLIC OF KENYA

IN THE HIGH COURT AT KISUMU

MISCELLANEOUS SUCCESSION APPLICATION 143 OF 2025

A MABEYA, J

JUNE 4, 2025

**IN THE MATTER OF THE ESTATE OF SHADRACK ACHOLA
GWAR ALIAS SHADRACK OCHOLA GWARA (DECEASED)**

AND

IN THE MATTER OF AN APPLICATION BY DISHON LIMBE GWARA - APPLICANT

**(FROM ORIGINAL MASENO SENIOR PRINCIPAL
MAGISTRATE SUCCESSION CAUSE NO. E219 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the jurisdiction of this Court under section 18 of the Civil Procedure Act, Cap 21 Laws of Kenya, this file is hereby withdrawn from Maseno Law Courts and transferred to Kombewa Law Courts for hearing and determination.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

