



REPUBLIC OF KENYA



**In re Estate of Agutu Odhiro alias Japheth Agutu Odhiro (Deceased) (Miscellaneous Succession Application 106 of 2025) [2025] KEHC 7364 (KLR) (3 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 7364 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS SUCCESSION APPLICATION 106 OF 2025**

**A MABEYA, J**

**JUNE 3, 2025**

**IN THE MATTER OF THE ESTATE OF AGUTU ODHIRO  
ALIAS JAPHETH AGUTU ODHIRO (DECEASED)**

**AND**

**IN THE MATTER OF AN APPLICATION BY NICHOLAS GUMBA AGUTU - PETITIONER**

*(From Original Maseno Senior Principal Magistrate Succession Cause No. E327 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jurisdiction of this Court under section 18 of the [Civil Procedure Act](#), Cap 21 Laws of Kenya, this file is hereby withdrawn from Maseno Law Courts and transferred to Kombewa Law Courts for hearing and determination.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 9/6/2025 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 3<sup>RD</sup> DAY OF JUNE, 2025.**

**A. MABEYA, FCI, ARB**

**JUDGE**

