



REPUBLIC OF KENYA



In re Estate of Martin Okwaro Arodi alias William Martin Okwaro (Deceased) (Miscellaneous Succession Application E013 of 2024) [2025] KEHC 10881 (KLR) (25 July 2025) (Ruling)

Neutral citation: [2025] KEHC 10881 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS SUCCESSION APPLICATION E013 OF 2024**

A MABEYA, J

JULY 25, 2025

**IN THE MATTER OF THE ESTATE OF MARTIN OKWARO
ARODI ALIAS WILLIAM MARTIN OKWARO - DECEASED
AND IN THE MATTER OF REVOCATION/ANNULMENT OF
GRANT OF LETTERS OF ADMINISTRATION ISSUED TO
ISACK OCHIENG ABONGO & PATRICK OMONDI OSORE**

BETWEEN

GEORGE OMANGI OWINO APPLICANT

AND

ISACK OCHIENG ABONGO 1ST RESPONDENT

PATRICK OMONDI OSORE 2ND RESPONDENT

RULING

1. Martin Okwaro Arodi ('the deceased') passed on in Nyalunya Kisumu on 15/8/1994. He left behind several assets and beneficiaries. This Cause was lodged in 2006.
2. The estate never knew any peace as there was application after application until 5/12/2016 when Majanja J confirmed the grant after protracted proceedings. This was later rectified on 27/6/2024 after other proceedings and mediation took place.
3. Once again, on 11/2/2025, George Omangi Owino lodged another application of even date for the Revocation or Annulment of the grant. The Court directed that the matter be determined by way of viva voce evidence.
4. The applicant testified and closed his case on 24/3/2025. After 3 witnesses for the respondent had testified, it occurred to the Court that this was a matter that had been settled through viva voce evidence by Majanja J in 2016 as stated above. The Court posed several questions to the advocates acting for the



parties whether that being the case, the present application should proceed. The advocates submitted on the issues raised.

5. I have considered the record. Considering that the application before me raised issues which need determination, I have decided that it would be prudent to hear the rest of the remaining witnesses then determine those issues and the entire matter in a final ruling.
6. Accordingly, I direct that the remaining witnesses do testify and all the issues be determined in one ruling.

It is so ordered.

DATED AND DELIVERED AT KISUMU THIS 25TH DAY OF JULY, 2025.

A. MABEYA, FCI Arb

JUDGE

