



**In re Estate of Samwel Kwambai (Deceased) (Citation Cause E071 of 2024) [2025] KEHC 10348 (KLR) (16 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 10348 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT ELDORET  
CITATION CAUSE E071 OF 2024  
RN NYAKUNDI, J  
JULY 16, 2025**

**IN THE MATTER OF THE ESTATE OF THE LATE SAMWEL KWAMBA (DECEASED)**

**BETWEEN**

**ANNA JERONO KWAMBAI ..... CITOR**

**AND**

**MICHAEL KWAMBAI ..... CITEE**

**RULING**

1. Before me is a Citation to Accept or Refuse Letters of Administration Intestate brought pursuant to Rule 21 of the Probate and Administration Rules addressed to Michael Kwambai of Eldoret. The Citation states interalia:
  - a. Whereas it appears by the affidavit of Anna Jerono Kwambai of P.O. Box 412 Eldoret, sworn the 4<sup>th</sup> day of June 2024 that the above-named Samwel Kwambai died in July 2002 intestate leaving you the said Michael Kwambai his sons as one of the persons entitled to share in his estate:
  - b. And Whereas it further appears by the said affidavit that the said that the said Anna Jerono Kwambai is a daughter of the Late Samwel Kwambai and one of the persons entitled to share in his estate:
  - c. Now this is to direct you the said Michael Kwambai to within 15 (Fifteen)days after service hereof on you inclusive of the day of such service cause an Appearance to be entered for you in the Registry and Accept or Refuse Letters of Administration of all the Estate which by law devolves to and vests in the personal representative of the deceased or show cause why the same should not be granted to you



- d. And take notice that in default of your appearing and accepting and extracting letters of administration, this court may proceed to grant letters of administration to the estate of the said Samwel Kwambai your absence notwithstanding.
2. The Citation is supported by the annexed Affidavit dated 4<sup>th</sup> June 2024 sworn by Anna Jerono Kwambai which I have read and understood.

**Decision**

3. This citation has been premised under the terms pursuant to section 66 of the *law of succession Act*.
4. In adherence to the law Anna Jerono Kwambai and Michael Kwambai due petition for grant of letters of administration to administer the estate of Samuel Kwambai.
5. In this respect the Area Chief convenes a meeting under the following terms of reference:
  - a. Inform all eligible family members about the process of applying for a Grant of Letters of Administration.
  - b. Discuss and agree on the appointment of an Administrator (s) for the estate
  - c. Identify and document all assets and liabilities of the deceased
  - d. Determine the best course of action for distributing the estate according to the *law of succession Act* (Cap 160)
  - e. Agree on the necessary documentation and procedures for the application
6. The meeting will also cover the follow key areas:
  - a. Identification of beneficiaries
  - b. Selection of Administrator (s)
  - c. Asset and Liability Inventory
  - d. Distribution plan
  - e. Documentation and application
7. The status conference be convened on 29<sup>th</sup> July 2025

**GIVEN UNDER MY HAND AND THE SEAL OF THIS COURT THIS 16<sup>TH</sup> JULY 2025**

.....

**R. NYAKUNDI**

**JUDGE**

