



REPUBLIC OF KENYA



In re Estate of Isaac Abila Abila alias Isaka Abila Abila - Deceased (Miscellaneous Succession Cause E014 of 2024) [2024] KEHC 4761 (KLR) (15 April 2024) (Ruling)

Neutral citation: [2024] KEHC 4761 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS SUCCESSION CAUSE E014 OF 2024
RE ABURILI, J
APRIL 15, 2024**

RULING

1. I have considered the summons for revocation of grant issued to the Petitioners herein Martha Anyango and Linet Akinyi Abila who are the sole beneficiaries of the estate of Isaac Abila Abila alias Isaka Abila Abila.
2. I have considered the grounds and supporting affidavit by the Applicants/administrators of the estate sworn on 15th February 2024 and the annexures thereof.
3. This matter is from original Succession Cause No. 294 of 2014. I observe that the parcel No. L.R. Kisumu/Nyalenda A/181 was left out of the succession process because it had a pending dispute before Kisumu Chief Magistrate ELC No. 234 of 2018 hence it could not be distributed.
4. The grant was issued on 4th July 2014 and confirmed on 13th March 2015 in favour of the Applicants herein who agreed to share the estate equally.
5. They have also agreed to share the named parcel No. Kisumu/Nyalenda 'A'/181 equally.
6. As there are no objections to the orders sought which are intended to conclude the administration of the deceased's estate and distribute the assets to the bona fide beneficiaries, I allow the application dated 1st February 2024.
7. I order that a fresh certificate of confirmation of grant do issue as amended certificate of confirmation of grant adding parcel No. LR. Kisumu/Nyalenda 'A'/181 to the list of assets of the deceased to be shared equally between the two beneficiaries Martha Anyango and Linet Akinyi Abila who are also the sole beneficiaries and administratrices of the estate of the deceased Isaac Abila Abila alias Isaka Abila Abila.
8. Subject to Section 83 of the [Law of Succession Act](#), this file is hereby closed.
9. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 15TH DAY OF APRIL, 2024

R. E. ABURILI



JUDGE

