



REPUBLIC OF KENYA



**In re Estate of Tom Nyanjom Ger (Deceased) (Miscellaneous Succession Cause E011 of 2024) [2024] KEHC 3733 (KLR) (15 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 3733 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS SUCCESSION CAUSE E011 OF 2024**

**RE ABURILI, J**

**APRIL 15, 2024**

**IN THE MATTER OF THE ESTATE OF TOM NYANJOM GER (DECEASED)**

**AND**

**IN THE MATTER OF AN APPLICATION BY ALICE MARENYA  
NYANJOM AND JAMES OCHIENG GER- APPLICANTS**

**RULING**

1. The summons for rectification of grant dated 8<sup>th</sup> January 2024 seeks to include land parcel No. East Gem/Uranga/561 as the asset of the estate.
2. This Succession Cause was filed in 1992 *vide* P&A Cause No. 184 of 1992 on 6<sup>th</sup> October 1992 only five (5) months after the death of Tom Nyanjom Ger.
3. The only asset listed was an account with National Bank of Kenya, Kisumu, being benefits from Customs Department. It is clear that the Petitioner was only interested in the terminal benefits and upon receipt thereof, she went to slumber and it is now over 32 years since she obtained grant which was confirmed in her favour.
4. She now wants another asset of the deceased to be included and hence, rectification of the grant.
5. I have considered the summons for rectification of grant as filed.
6. I find no basis upon which to grant the orders sought as the Petitioners want this court to approve piecemeal succession proceedings.
7. That grant served its purpose and became inoperational and useless by effluxion of time. I hereby revoke and annul the grant issued to the Petitioner herein Alice Marenya Nyanjom and Dr. James Ochieng Ger on 3<sup>rd</sup> September 1993 as confirmed on 22<sup>nd</sup> July 1994.
8. The widow and her children who are the beneficiaries of the estate to petition afresh for a grant before Siaya High Court, listing all beneficiaries and assets of the deceased's estate.



9. Ruling to be typed.

10. This file is closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 15<sup>TH</sup> DAY OF APRIL, 2024**

**R. E. ABURILI**

**JUDGE**

