



REPUBLIC OF KENYA



In re Estate of William Kipsang Mosonik (Deceased) (Miscellaneous Succession Cause E025 of 2024) [2024] KEHC 5425 (KLR) (22 May 2024) (Ruling)

Neutral citation: [2024] KEHC 5425 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS SUCCESSION CAUSE E025 OF 2024**

RE ABURILI, J

MAY 22, 2024

**IN THE MATTER OF THE ESTATE OF WILLIAM KIPSANG MOSONIK
(DECEASED)**

AND

**IN THE MATTER OF AN APPLICATION BY JOSEPH KIPROP MURSI –
APPLICANT**

RULING

1. This Succession Cause was filed in 1996 vide Succession 176 of 1996 by Joseph Kiprop Mursi to administer the estate of the deceased William Kipsang Mosonik.
2. The grant was issued on 4th February 1997. Todate, no application for confirmation of grant has been filed.
3. The file was closed and archived.
4. The Petitioner now seeks to reopen the file so that he can apply for confirmation of grant, on account that he became unwell and hence the delay. There is no single document showing the inability of the Petitioner to apply for grant to be confirmed.
5. It is now over 27 years since the grant was issued and no application filed to confirm it.
6. No doubt, the grant issued on 4th February 1997 became useless and inoperational and incapable of being confirmed. It fell due for revocation along ago, under Section 76 (d) (i) of the [Law of Succession](#).
7. Accordingly, I decline to reopen the file whose grant is stale.
8. The Petitioner to petition afresh.
9. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 22ND DAY OF MAY, 2024



R. E. ABURILI
JUDGE

