



In re Estate of Stanley Mugambi Muketha (Deceased) (Succession Cause 361 of 2009) [2024] KEHC 4906 (KLR) (9 May 2024) (Ruling)

Neutral citation: [2024] KEHC 4906 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
SUCCESSION CAUSE 361 OF 2009**

TW CHERERE, J

MAY 9, 2024

BETWEEN

MORRIS MUTEMBEI MUGAMBI RESPONDENT

AND

EVANGELINE NKATHA MUGAMBI APPLICANT

RULING

1. Following mediation between the parties herein, the estate of the deceased was distributed vide an Amended Certificate of Confirmation of Grant dated 28th November, 2023.
2. By summons dated 09th February, 2024, Evangeline Nkatha Mugambi (2nd Administrator/Applicant) complains that the Morris Mutembei Mugambi (1st Administrator/Respondent) is frustrating transmission of the estate by failing to avail the necessary transmission documents and therefore prays to be appointed as the sole administrator.
3. By his replying affidavit sworn on 05th March, 2024, the 1st Administrator/Respondent explains that his inaction is informed by the challenge raised by his siblings concerning the mediation agreement.
4. I have considered the application in the light of the affidavits on record. This court having granted leave to the disputants to challenge the mediation agreement dated 11th September, 2023, I find that it is only fair that the summons dated 09th February, 2024 be stayed pending the outcome of the application to challenge the said mediation agreement.
5. It is so ordered

DELIVERED AT MERU THIS 09th DAY OF May 2024





WAMAE. T. W. CHERERE

JUDGE

Appearances

Court Assistants - Kinoti/Munene

For 1st Administrator/Respondent - Mr. Muthuri for Muthuri & Co. Advocates

For 2nd Administrator/Applicant - Mr.Kariuki for Mithega & Kariuki Advocates

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