



REPUBLIC OF KENYA



**In re Estate of M’ugwika Baitobi (Deceased) (Succession Cause
37 of 2015) [2024] KEHC 7133 (KLR) (13 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 7133 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
SUCCESSION CAUSE 37 OF 2015**

TW CHERERE, J

JUNE 13, 2024

IN THE MATTER OF THE ESTATE OF M’MUGWIKAI BAITOBI (DECEASED)

BETWEEN

JENNIFER MWAMWATHI M’MWENDA APPLICANT

AND

SABINA KANATHI MAKUTHO RESPONDENT

RULING

1. Summons dated 13th March, 2023 seeks to review Gikonyo J’s judgment dated 07th May, 2020 to the extent that Sabina Kanathi and Zipporah Karimi who are wife and daughter of Makutho M’Mugwika stand to benefit twice their husband and father Makutho M’Mugwika having also been allocated a share of deceased’s estate comprised in LR. Ithima/antuambui/3710 and LR. NO. Ithima/antuambui/502.
2. Grant of Letters of Administration in this matter was issued on 23rd June, 2020.
3. In order to satisfy myself that the estate of the deceased is still intact the grant having been confirmed 4 years ago, I directed on 16th May, 2024 that the Applicant files search certificates for LR. Ithima/antuambui/3710 And Lr. No. Ithima/antuambui/502.
4. As at the time of writing this ruling, the search certificates had not been filed.
5. In the light of these circumstances, the summons for review dated 13th March, 2023 is incapable of being granted and it is declined.

DELIVERED AT MERU THIS 13TH DAY OF JUNE 2024

WAMAE. T. W. CHERERE

JUDGE



Appearances

Court Assistants - Kinoti/Munene

For Administrator/Applicant - Mr. Mose for Bebo & Mose Advocates

For Objector /Respondent - Mr. Nyamori for Igweta Muriithi & Co. Advocates

