



**In re Estate of Raphael Oloo Otiang'a (Deceased) (Miscellaneous Succession Cause E033 of 2024) [2024] KEHC 6818 (KLR) (7 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 6818 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS SUCCESSION CAUSE E033 OF 2024**

**RE ABURILI, J**

**JUNE 7, 2024**

**N THE MATTER OF THE ESTATE OF RAPHAEL OLOO OTIANG'A (DECEASED)**

**BETWEEN**

**RUTH ATIENO ODERO ..... 1<sup>ST</sup> APPLICANT  
JOYCE AKOTH OTOKE ..... 2<sup>ND</sup> APPLICANT  
JANE AWUOR OLOO ..... 3<sup>RD</sup> APPLICANT  
CELESTINE OKELLO ..... 4<sup>TH</sup> APPLICANT**

**AND**

**JOHN MITO OLOO ..... 1<sup>ST</sup> RESPONDENT  
FREDRICK ODINGA OLOO ..... 2<sup>ND</sup> RESPONDENT**

**AND**

**FRANCIS OOKO OLOO ..... INTERESTED PARTY  
WILLIAM ODIWUOR OLOO ..... INTERESTED PARTY  
PETER ODIERA OLOO ..... INTERESTED PARTY  
MAURICE AKONGO OLOO ..... INTERESTED PARTY  
TOM OBURU OLOO ..... INTERESTED PARTY  
JAMES OMOLO OLOO ..... INTERESTED PARTY  
MICHAEL OLOO ..... INTERESTED PARTY  
DAVID OCHIENG OLOO ..... INTERESTED PARTY  
DAVID OMONDI OLOO ..... INTERESTED PARTY**



## **RULING**

1. I have considered the application by way of summons for revocation of grant which is filed, seeking to revoke the grant issued in favour of John Mito Oloo, Walter Odongo Oloo and Fredrick Odinga Oloo on April 1, 2014 and confirmed on November 16, 2017 and rectified on May 25, 2017 vide Kisumu HC Succession Cause No. 494 of 2012.
2. I observe that the summons for revocation of grant are neither dated nor signed by the Applicants nor their advocates Mulinge & Ochieng & Company Advocates.
3. Pleadings which are unsigned are not authenticated and there is no ownership by the maker thereof.
4. I find no application capable of being considered on merit. I strike out the summons for revocation of grant as filed, and in addition, there is no indication that court fees was paid for the same as there is no digital stamp on the filed documents.
5. The summons for revocation of grant which are unsigned and undated are struck out and this file is closed.
6. Registry to notify the Applicant's counsel.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 7<sup>TH</sup> DAY OF JUNE, 2024**

**R. E. ABURILI**

**JUDGE**

