



In re Estate of Joseph M’aritho M’itonga (Deceased) (Miscellaneous Cause E021 of 2003) [2024] KEHC 6998 (KLR) (6 June 2024) (Ruling)

Neutral citation: [2024] KEHC 6998 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
MISCELLANEOUS CAUSE E021 OF 2003
TW CHERERE, J
JUNE 6, 2024**

BETWEEN

FREDRICK MARTIAS M’ARITHO APPLICANT

AND

ROSALIA NKANDI MUTUA RESPONDENT

RULING

1. By application dated 11th August, 2023 supported by an affidavit sworn by Fredrick Martias M’Aritho (Applicant) on even date, Applicant who is the administrator of the estate of Joseph M’aritho M’Itonga (Deceased) whose estate is the subject of Meru High Court Succession Cause No. 487 of 2009 prays that the file which has been missing be reconstructed to enable him file an application for revocation.
2. By a letter dated 04th May, 2024, the Deputy Registrar of this court has confirmed that the file cannot be traced.
3. From the foregoing, I find that it would be in the interest of justice to allow the reconstruction of the file so that the Applicant can prosecute his intended application.
4. In the end, it is hereby ordered that Meru High Court Succession Cause No. 487 of 2009 be reconstructed.
5. Applicant shall supply all the documents necessary for the reconstruction.

DELIVERED AT MERU THIS 06TH DAY OF JUNE 2024

WAMAE. T. W. CHERERE

JUDGE

Appearances

Court Assistants - Kinoti/Munene



For Applicant -N/A for Kiogora Mugambi & Co. Advocates

Respondent - N/A

