



REPUBLIC OF KENYA



KENYA LAW
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In re Estate of Paul Ojwang Mucha (Deceased) (Succession Cause E027 of 2008) [2024] KEHC 6846 (KLR) (5 June 2024) (Ruling)

Neutral citation: [2024] KEHC 6846 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
SUCCESSION CAUSE E027 OF 2008**

RE ABURILI, J

JUNE 5, 2024

**IN THE MATTER OF THE ESTATE OF PAUL OJWANG MUCHA
(DECEASED)**

AND

**IN THE MATTER OF AN APPLICATION BY SAMWEL ONYANGO OJWANG
(APPLICANT/PETITIONER)**

RULING

1. I have considered the summons for rectification of grant dated 8th January 2024.
2. The Petitioner is the sole beneficiary of the estate of the late Paul Ojwang. A grant was issued to him on 3rd December 2008 and confirmed on 12th November 2010 in original Succession Cause No. 555 of 2008.
3. The properties listed in the schedule of the certificate of confirmation of grant as issued are Kisumu/Sidho East/438, 367 and Plot 2646 together with Kisumu/Sidho East/1993.
4. He now seeks to have two more parcels included as he inadvertently forgot to include them.
5. As the Petitioner/Applicant is the sole beneficiary in the estate and there is no objection raised, I review and set aside the confirmation of grant made on 12th November 2010 and substitute it with an order confirming the grant issued on 3rd December 2008, with a schedule of distribution to include full description of the parcels of land as given and in addition, to include parcel Nos. Kisumu/Sidho East/1724 and Kisumu/Kogony/2304.
6. A rectified certificate of confirmation of grant to issue forthwith.
7. This file is closed subject to Section 83 of the [Law of Succession Act](#).
8. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 5TH DAY OF JUNE, 2024



R. E. ABURILI
JUDGE

