



REPUBLIC OF KENYA



KENYA LAW
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**In re Estate of Fredrick Adero Obiero (Deceased) (Succession Cause
3 of 2019) [2024] KEHC 8487 (KLR) (15 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 8487 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
SUCCESSION CAUSE 3 OF 2019
MS SHARIFF, J
JULY 15, 2024**

**IN THE MATTER OF THE ESTATE OF FREDRICK ADERO OBIERO (DECEASED)
IN THE MATTER OF AN APPLICATION BY:**

BETWEEN

EZEKIEL ODIERO ADERO APPELLANT

AND

MONICA AKOMO OLAYO 1ST RESPONDENT

STEPHEN OLANGO ONGOYA 2ND RESPONDENT

RULING

1. Upon perusal of the Respondent's notice of motion dated 11.7.2024 and the supporting affidavit sworn by Ezekiel Odiero Adero on even date I do note that the judgment that the Respondent seeks to stay was delivered on 12.7.2021 wherefore there is no urgency nor any sufficient reason advanced for grant of stay orders. Further no closure has been made of the alleged appeal No. 3 of 2019.
2. Premised on the reasons aforesated I do hereby make the following orders:-
 1. This application is not certified as urgent.
 2. The same be served upon the Respondents who are directed to file their responses within 14 days from the date hereof.
 3. The application shall be heard interpartes on 23.9.2024.

DELIVERED, SIGNED AND DATED AT KISUMU THIS 15TH DAY OF JULY, 2024.

M. S. SHARIFF

JUDGE

