



In re Estate of Samuel Amalemba Shivachi (Deceased) (Succession Cause 377 of 2006) [2024] KEHC 8073 (KLR) (3 July 2024) (Ruling)

Neutral citation: [2024] KEHC 8073 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAKAMEGA
SUCCESSION CAUSE 377 OF 2006**

AC BETT, J

JULY 3, 2024

BETWEEN

MARGARET MWARISI JOHNAH PETITIONER

AND

ALISTAR AMALEMBA MASINJERA 1ST OBJECTOR

BAVON SHIKALI AMALEMBA 2ND OBJECTOR

RULING

1. I have heard the application by Ms. Khateshi. I am not persuaded that there are sufficient grounds to allow the adjournment. This cause has been pending for too long.
2. The Summons for Confirmation of Grant dated 24/10/2018 be and is hereby dismissed for want of prosecution. I hereby direct that the Objectors do file an application for Confirmation of Grant within fourteen (14) days from the date hereof. The Petitioner, who is the Administrator shall be at liberty to file her protest to the application.
3. Mention on 23/9/2024. In the meantime, the Petitioner as Administrator is ordered to comply with the Orders of Hon. Justice Musyoka made on 25/9/2018. She is directed to prepare and file before the Court a true and accurate account of her administration of the estate from the date of her appointment on 21/5/2013 upto the date of the account within thirty (30) days from today. In default, the Grant issued to the Petitioner shall stand revoked.
4. Those are the Orders of the Court.

DATED, SIGNED AND DELIVERED AT KAKAMEGA THIS 3RD DAY OF JULY, 2024.

A. C. BETT

JUDGE



In the presence of:

Ms. Khatshi for the Petitioner

Mr. Abok for the Objectors

Court Assistant: Polycap

