



**Ochieng v Miruka & 3 others (Succession Cause 268 of 2010)  
[2024] KEHC 8355 (KLR) (8 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 8355 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
SUCCESSION CAUSE 268 OF 2010  
MS SHARIFF, J  
JULY 8, 2024**

**BETWEEN**

**MONICA ELIZABETH DONDE OCHIENG ..... APPLICANT**

**AND**

**STEPHENE MIRUKA & 3 OTHERS ..... RESPONDENT**

**RULING**

1. I have considered the Applicant's notice of motion dated 3rd July 2024 and the affidavit in support thereof sworn by Monica Elizabeth Donde Ochieng on even date and I have also perused the certificate of confirmation of grant issued by Justice T. A. Odera on 30th January 2023 and I do hereby make the following orders: -
    1. This application is hereby certified as urgent.
    2. The Respondents are hereby ordered to transfer 0.3 hectares of parcel No. Kisumu/Dago/65 to Monica Elizabeth Donde Ochieng within 30 days from the date hereof.
    3. In the event of non compliance with order No. 2 hereinabove the Deputy Registrar High Court Kisumu and/or the Court Administrator are hereby authorised to sign all documents and instruments of sub-division, and transmission of an acreage of 0.3 hectares of parcel No. Kisumu/Dago/65 on behalf of the administrators of the estate of Edwrd Jobunga Okumu so as to transfer the said parcel measuring 0.3 hectares to Monica Elizabeth Donde Ochieng.
    4. An order is hereby issued compelling the Land Registrar Kisumu to give effect to order No. 2 and 3 herein above upon presentation of the requisite sub-division and/or transfer documents.
    5. The Applicant to foot the costs attendant to the transfer and/or transmission.
- It is hereby so ordered.



**DATED, SIGNED AND DELIVERED AT KISUMU THIS 8<sup>TH</sup> DAY OF JULY, 2024.**

**M. S. SHARIFF**

**JUDGE**

