



**In re Estate of Joseph Pheliz Mboya (Deceased) (Miscellaneous Succession Cause 242 of 2024) [2024] KEHC 12778 (KLR) (24 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12778 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS SUCCESSION CAUSE 242 OF 2024  
RE ABURILI, J  
OCTOBER 24, 2024**

**IN THE MATTER OF AN APPLICATION BY BERYL ADHIAMBO ODUOR, NEREA PATRICIA ALUOCH MBOYA AND BETH LUIZER ACHIENG MBOYA - PETITIONERS**

**IN THE MATTER OF**

**BERYL ADHIAMBO ODUOR ..... 1<sup>ST</sup> PETITIONER  
NEREA PATRICIA ALUOCH MBOYA ..... 2<sup>ND</sup> PETITIONER  
BETH KYUZER ACHIENG MBOYA ..... 3<sup>RD</sup> PETITIONER**

*(Arising from Kisumu Chief Magistrate's Court Succession No. E347 of 2024)*

**RULING**

1. The deceased Joseph Phelix Mboya hailed from Kitota village, South Kabura Sub-location, West Kanyadoto Location, Nyagori Division, Dhiwa Sub-county which is within the jurisdiction of Winam Senior Principal Magistrate's Court.
2. This is supported by the death certificate and the Chief's letter dated 19<sup>th</sup> September 2024 identifying all beneficiaries of the deceased and her assets.
3. Accordingly, the Chief Magistrate's court at Kisumu brought this matter for directions on geographical jurisdiction.
4. I hereby transfer Kisumu Chief Magistrate's Court Succession Cause No E347 of 2024 to Winam Senior Principal Magistrate's court for hearing and determination.
5. The e-file to be transmitted to Winam Law Courts and upon receipt, to notify the Petitioners forthwith to move the court.
6. This file is closed. I so order.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 24<sup>TH</sup> DAY OF OCTOBER, 2024**



**R. E. ABURILI**  
**JUDGE**

