



In re Estate of the Late Kibui Kimani Mukora (Deceased) (Succession Cause 383 of 1991) [2024] KEHC 14326 (KLR) (Family) (24 October 2024) (Directions)

Neutral citation: [2024] KEHC 14326 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
SUCCESSION CAUSE 383 OF 1991
HK CHEMITEI, J
OCTOBER 24, 2024
IN THE MATTER OF THE ESTATE OF THE LATE KIBUI KIMANI MUKORA (DECEASED)**

BETWEEN

FREDRICK KIBUI OBJECTOR

AND

SAMUEL MUIRU KIMANI RESPONDENT

DIRECTIONS

1. The court has perused the application dated 15th May 2023 together with the annexures to the supporting affidavit of the Applicant sworn on the same day.
2. The court has also perused the replying affidavit of Samuel Muiri Kimani the Respondent, Moses Kamundi Njoroge the subchief of Muchata sublocation sworn on 29th September 2023.
3. The court has perused the lengthy history of this cause backed by several annexures from both sides.
4. I do not find it appropriate to determine this matter by way of affidavit evidence. Justice shall be served if the parties and their witnesses are granted an opportunity to testify in court and have their evidence tested by way of cross examination.
5. At the same time the annexures produced by the parties are such that they need to be tested by way of cross examination.
6. In the premises this court directs that:
 - (a) The objection proceedings herein shall be determined by way of oral evidence.



- (b) The parties are hereby granted 30 days from the date herein to file witness statements and or further affidavits if any and serve each other.
- (c) The status quo on the ground be maintained pending the determination of the objection proceedings.

DATED SIGNED AND DELIVERED VIA VIDEO LINK THIS 24TH DAY OF OCTOBER 2024.

H K CHEMITEI

JUDGE

