



REPUBLIC OF KENYA



In re Estate of Catherine Shiundu Ojinji (Deceased) (Succession Cause 243 of 2012) [2024] KEHC 12583 (KLR) (22 October 2024) (Ruling)

Neutral citation: [2024] KEHC 12583 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUSIA
SUCCESSION CAUSE 243 OF 2012**

WM MUSYOKA, J

OCTOBER 22, 2024

IN THE MATTER OF THE ESTATE OF CATHERINE SHIUNDU OJINJI (DECEASED)

RULING

1. The application that I should be determining is that dated 22nd April 2024.
2. I had directed the parties, on 28th May 2024, to file written submissions. They have complied.
3. I have read the written submissions, while preparing the ruling, and noted that both sides have mentioned Busia CMCS No. 71 of 1986, as possibly having a bearing on the distribution of the estate herein.
4. Before I embark on considering the confirmation application, it may be prudent to have before me the file in Busia CMCS No. 71 of 1986.
5. I, accordingly, direct the Deputy Registrar to call for that file.
6. This matter shall be mentioned on 18th November 2024, to confirm availability of the file in Busia CMCS No. 71 of 1986, and for allocation of a date for ruling.

DELIVERED, VIA EMAIL, DATED AND SIGNED IN CHAMBERS, AT BUSIA ON THIS 22ND DAY OF OCTOBER 2024.

W MUSYOKA

JUDGE

Mr. Arthur Etyang, Court Assistant.

Advocates

Mr. Maloba, instructed by Hammerton Maloba & Company, Advocates for the applicant.

Mr. Ouma, instructed by BM Ouma & Company, Advocates for the respondent.

