



REPUBLIC OF KENYA



KENYA LAW
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In re Estate of Late Julius Pacho Otoy & another (Deceased) (Family Miscellaneous Application E009 of 2023) [2023] KEHC 57 (KLR) (16 January 2023) (Ruling)

Neutral citation: [2023] KEHC 57 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
FAMILY MISCELLANEOUS APPLICATION E009 OF 2023
RE ABURILI, J
JANUARY 16, 2023**

(Originating from Bondo PM Succession Causes Nos. E66/2021 and E067/2021)

RULING

1. I have perused and considered the applicant's application dated 16/1/2023 seeking for Transfer of Madiany PM Succession Cause originating from Bondo PM P&A Nos E66 of 2021 and E67 of 2021 to Bondo PM's court for hearing and final determination.
2. I have considered the grounds in support and the supporting affidavit sworn by Mr. Julian Evans Okiri Pacho and copies of annexed grants issued by Bondo PM's court on 13/4/2021 in respect of the estate of the late Julius Pacho Otoy.
3. I observe that the matter was pending confirmation of the grants and that parties are closer to Bondo Law Courts than Madiany Law Courts which is the new court within Rarieda Sub County.
4. I am satisfied that justice will best be served if the matter is heard and concluded at Bondo PM's court as the court had already fixed a hearing date being 20/1/2023.
5. I hereby allow the application and direct that Bondo PM Succession Cause Nos E066/2021 and E067/2021 which were transferred to Madiany Law Courts by this court and are hereby transferred back to Bondo PM's court for hearing and final determination and that the said matters proceed as earlier scheduled.
6. I so order.

This file is hereby closed.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 16TH DAY OF JANUARY, 2023

R.E. ABURILI

JUDGE

