



REPUBLIC OF KENYA



**KENYA LAW**  
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**In re Estate of Joseph Oketch Adede (Deceased) (Succession Cause E010 of 2021) [2023] KEHC 933 (KLR) (15 February 2023) (Ruling)**

Neutral citation: [2023] KEHC 933 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT SIAYA  
SUCCESSION CAUSE E010 OF 2021  
RE ABURILI, J  
FEBRUARY 15, 2023  
IN THE MATTER OF THE ESTATE OF JOSEPH OKETCH ADEDE  
(DECEASED)  
AND  
IN THE MATTER OF AN APPLICATION BY DAVID OTIENO ODUOR**

**RULING**

1. Upon perusing the Summons for Confirmation of Grant dated November 13, 2022 and the affidavit of David Otieno Oduor sworn on 12/2/2023 and after interviewing the beneficiaries and perusal of the decree of the court issued on November 17, 2021 pursuant to the orders in Siaya CM's Court Civil Suit No 28/1990 and confirmed by the court on Appeal vide ELCA No 8/2021 between Nicholas Onyuna Aura and David Otieno Oduor, I am satisfied that the Administrator of the estate of the deceased Joseph Oketch Adede has identified and listed all the beneficiaries of the estate and made provision to them and that all the beneficiaries have agreed on the mode of distribution of the estate.
2. I am equally satisfied that the Administrator understands that the said estate of the deceased has a liability in the form of a decree in favour of Nicholas Onyuna Aura vide Decree of the court which apportions to the latter judgment creditor half of the land parcel No East Alego/Bar Agulu/963 which has been taken care of in the schedule of distribution of the estate.
3. For the above reasons, I hereby confirm the grant of letters of Administration intestate issued to David Otieno Oduor on 14/3/2022 and direct that the estate of the deceased Joseph Oketch Adede shall be distributed in the manner provided for above and as per the decree of the court dated November 17, 2021 as passed in Siaya CMCC 28/1990, with half of the parcel of land No East Alego/Bar Agulu/963 being shared out to Nicholas Onyuna Aura as a liability while half thereof shall be shared among the three beneficiaries of the estate of the deceased in equal shares.
4. A Certificate of Confirmation of the grant to issue forthwith.



5. The Administrator is directed to conclude the process of distribution of the estate within the next six (6) months of today and in default, the court shall recall the confirmed grant and revoke it.
6. Mention to confirm progress of distribution shall be on 16/5/2023.
7. This ruling to be typed and supplied to the parties upon payment of requisite court fees.
8. I so order.

**DATED, SIGNED AND DELIVERED AT SIAYA THIS 15<sup>TH</sup> DAY OF FEBRUARY, 2023**

**R.E. ABURILI**

**JUDGE**

