



REPUBLIC OF KENYA



**KENYA LAW**  
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**In re Estate of John Opiyo Osweya (Deceased) (Succession Cause  
335 of 2012) [2023] KEHC 23500 (KLR) (4 October 2023) (Ruling)**

Neutral citation: [2023] KEHC 23500 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
SUCCESSION CAUSE 335 OF 2012  
RE ABURILI, J  
OCTOBER 4, 2023**

**IN THE MATTER OF**

**EUNICE ADHIAMBO OPIYO ..... 1<sup>ST</sup> PETITIONER  
SAMWEL JUMA AKIRI ..... 2<sup>ND</sup> PETITIONER**

**RULING**

1. The Grant was issued on May 21, 2013 to Eunice Adhiambo Opiyo and Samwel Juma Akiri. The two were to jointly administer the estate of the late John Opiyo Oswera. The 2<sup>nd</sup> Administrator has since died and no summons for confirmation of grant were filed since 2013 which is over ten (10) years now.
2. There is accordingly nothing to rectify as the grant has become inoperational and useless.
3. The grant issued on May 21, 2013 to Eunice Adhiambo Opiyo and Samwel Juma Akiri is hereby revoked.
4. The beneficiaries to petition afresh for grant of letters of administration intestate, listing all beneficiaries and assets.
5. The application dated August 8, 2023 is declined and dismissed.
6. This file is now closed. I so Order

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 4<sup>TH</sup> DAY OF OCTOBER, 2023**

**R. E. ABURILI  
JUDGE**

