

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NYERI

SUCCESSION CAUSE NO. 412 OF 2006

IN THE MATTER OF THE ESTATE OF THE LATE JOSEPH MWANIKI MAMBO (DECEASED)

PAULINE MBITHE WANJIRU MWANIKI...PETITIONER/APPLICANT

RULING

- 1.The applicant has filed an application dated 16 /10/2020 under the provisions Rule 43 (1) of the Probate and Administration Rules and seeks to correct the title number of one of the properties listed on the Certificate of Confirmation of Grant, Issued on the 26th November, 2019.
- 2.The application is premised on the grounds on the face of the application and on the supporting affidavit made by the applicant and dated 16/10/2020.
- 3.The applicant seeks to correct the Title Number L.R No. NAROMORU/NAROMORU/BK2/AGUTHI/158 which should read NAROMORU/NAROMORO/BLOCK2/(AGUTHI)/1295.
- 4.The applicable law is found at Rule 43 (1) of the Probate and Administration Rules – which allows for the correction of errors provided that it does not affect the substance of the Grant.
- 5.Upon reading the application and hearing the submissions of counsel appearing for the applicant, this court is satisfied that the correction to include the correct title number of the property is as envisaged under the provisions of the above Rule 43(1).The application is found to be meritorious and is hereby allowed.
- 6.The certificate of Confirmation of Grant issued on 26/11/2019 is hereby rectified to read LR No. NAROMORU/NAROMORO/BLOCK 2/(AGUTHI)/1295

Orders Accordingly.

DATED, SIGNED AND DELIVERED ELECTRONICALLY AT NYERI THIS 8TH MARCH 2021.

HON. LADY JUSTICE A. MSHILA

JUDGE