



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NYERI**

**SUCCESSION CAUSE NO. 500 OF 2007**

**IN THE MATTER OF THE ESTATE OF THE LATE**

**SAMUEL WAITHAKA GACHANJA (DECEASED)**

**ANTONY IRUNGU WAITHAKA .....PETITIONER/APPLICANT**

**RULING**

1. The applicant has filed an application under the provisions of 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 27/07/2020.
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 **11/01/2021**.
3. The applicant seeks to correct the Title Number, from **NANYUKI MARURA BLOCK1/79 (ICHUGA)** to **NANYUKI MARURA BLOCK 1/749 (ICHUGA)**
4. The applicable law is found at Rule 43 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 the applicant appearing in person 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. The application is found to be meritorious and is hereby allowed.
6. The Certificate of Confirmation of Grant issued on 27/07/2020 is hereby rectified to read **NANYUKI MARURA BLOCK 1/749 (ICHUGA)**

Orders Accordingly.

**DATED, SIGNED AND DELIVERED ELECTRONICALLY AT NYERI THIS 4TH DAY MAY, 2021.**

**HON. LADY JUSTICE A. MSHILA**

**JUDGE**