



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

SUCCESSION CAUSE NO. 21 OF 2017

IN THE MATTER OF THE ESTATE OF M'MUGUNA M'KIAMBATI (DECEASED)

DORCAS IGOKI MUGUNA.....PETITIONER/APPLICANT

RULING

1. On 14th April 2020, this Court issued a Certificate of Confirmation of Grant with respect to the Estate of the deceased. Claiming that there were some errors on some of the details on the grant, the Petitioner/Applicant filed an application dated 9th February 2021 seeking rectification and amendment of the letters of administration so issued, in terms of paragraph 7 of the Affidavit in support of the summons annexed thereto.
2. The Court ordered for the application to be served on all the beneficiaries and that the same be heard on 7th April 2021. There is an affidavit of service on record confirming service of the application on CATHERINE NKIROTE MUGUNA, PAULINE KAROKI MUGUNA and FRANCIS IKUNDA KOOME.
3. One of the beneficiaries namely Rose Kinya wrote a letter to the Court dated 31st March 2021 indicating that she has no objection to the summons for rectification of grant and though she would have wanted to attend Court, she could not do so due to the lockdown that was in place then.
4. The rectification sought are with respect to the names of the beneficiaries and the Bank Account Number at Standard Chartered Bank.
5. There is a consent to confirmation of grant signed by 13 beneficiaries with the exception of the aforementioned 4 at paragraph 2 and 3 above, who were served.
6. The Court has looked at the rectifications sought and is satisfied that the same only relates to the names of the beneficiaries and bank account numbers as indicated in the affidavit.

ORDERS

7. Accordingly, for the reasons set out above, the Court makes the following orders: -

- i) The Petitioner/Applicant's application dated 9th February 2021 is hereby allowed.*
- ii) The Certificate of Confirmation of Grant dated 14th April 2021 be rectified in terms of paragraph 7 of the Petitioner's/Applicant's affidavit sworn on 9th February 2021.*
- iii) There shall be no order as to costs.*

Order accordingly.

DATED AND DELIVERED ON THIS 10TH DAY OF JUNE, 2021.

EDWARD M. MURIITHI

JUDGE

Appearances:

M/S Kiautha Arithi & Co. Advocates for the Petitioner/Applicant

M/S Carlpeters Mbaabu & Co. Advocates.