

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

KISUMU SUCCESSION CAUSE NO, 109 OF 1987

IN THE MATTER OF THE ESTATE OF JOHN MAGANGA OKWARO (DECEASED)

AND

IN THE MATTER OF AN APPLICATION BY: -

DORCAS OKWARO.....APPLICANT/RESPONDENT

VERSUS

JOHNSTONE OMBIMA OKWARO.....1ST RESPONDENT/APPLICANT

MARY ASIKO OKWARO.....2ND RESPONDENT/APPLICANT

JULIA SHIHORE.....3RD RESPONDENT/APPLICANT

RULING

1. I have considered the application by the 3 applicants.
2. I note that the Ruling intended to be challenged before the Court of Appeal was rendered on 20/12/2017.
3. I find no urgency involved to warrant grant of leave to be heard during the recess or to certify the application as urgent. I decline to grant leave to consider the application during the recess or to certify the application as urgent as there is no such urgency demonstrated.
4. I direct the applicants to serve the Respondent with the application for interpartes considered before the Presiding/Duty Judge at Kisumu HC on 23/9/2020. Matter referred back to Kisumu High Court for conclusion.
5. Orders accordingly.

Dated, signed and Delivered at Siaya this 3rd Day of September 2020

R.E. ABURILI

JUDGE