

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

FAMILY DIVISION

SUCCESSION CAUSE NO. 123 OF 2017

IN THE MATTER OF THE ESTATE OF JK DECEASED

CNI.....APPLICANT

VERSUS

HJIL.....1ST EXECUTOR/RESPONDENT

MW.....2ND EXECUTOR/RESPONDENT

RSK.....3RD EXECUTOR/RESPONDENT

PSK.....4TH EXECUTOR/RESPONDENT

RULING

1. The application subject of this ruling is dated 28th January, 2020 brought under **Section 26** of the **Law of Succession Act and Rule 45(1) of Probate and Administration Rules** where the applicant CNI seeks for provision from the estate of the deceased.
2. The applicant's claim is based on the assertion that she was born of one JKT and the deceased herein and on the fact that she was not provided for in the deceased Will. She claims further that the deceased provided and maintained her since birth. In support she produced a birth certificate, pictures and a copy of a tribute she wrote upon the deceased death.
3. The application was not opposed.
4. In a similar application by one CK the court issued an order on the 13th February 2020. Similarly, in this application it appears that the other beneficiaries do not oppose the inclusion and consideration of the applicant as beneficiary of the estate. I therefore direct and order that at the point of confirmation of the grant the Executors of the Will do make reasonable provision for the applicant from the residue of the estate.
5. Costs in the cause.

DATED, SIGNED and DELIVERED at NAIROBI this 15th DAY OF OCTOBER, 2020.

ALI-ARONI

JUDGE