

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT BUSIA

PROBATE & ADMINISTRATION NO. 282 OF 2014

IN THE MATTER OF THE ESTATE OF:

JOSECK OJIAMBO.....DECEASED

BETWEEN

JONATHAN HARRISSON

ONYANGO SANYA.....1ST PETITIONER/ APPLICANT

PASCALIA AWUORI OJIAMBO.....2ND PETITIONER/APPLICANT

AND

HUMPHREYS OJUOLO OJIAMBO...1ST OBJECTOR/RESPONDENT

PATRICK WANGA OJIAMBO.....2ND OBJECTOR/RESPONDENT

RULING

1. When the petitioners herein applied for the confirmation of the grant, the two respondents objected to the proposed distribution.
2. Other than redistributing the estate according to their proposal, they have not given any reason as to why they do not agree with the proposal of the petitioners.
3. I am persuaded to go by the proposal of the petitioners for the same is supported by the other beneficiaries except the objectors whose reasons for opposing the confirmation has not been stated for my consideration. One cannot just oppose a confirmation without giving reasons for doing so.
4. I therefore make an order for the confirmation of the grant in terms of the amended application of grant dated 20th February 2019. The petitioners are given six months from the date of this ruling to distribute the estate of the deceased and render account of the same. Failure to do so, the grant will be automatically revoked. Each party will meet own costs.

DELIVERED and SIGNED at BUSIA this 21st day of May, 2019

KIARIE WAWERU KIARIE

JUDGE