

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

SUCCESSION CAUSE NO. 152 OF 1993

IN THE MATTER OF THE ESTATE OF GIDEON RIMBERE alias GIDEON M'RIMBERE (DECEASED)

CHARLES KIRIINYA RIMBERE.....PETITIONER/RESPONDENT

VS

CATHERINE MWARI MUREITHI..... APPLICANT

PARTIAL RULING

Revocation of Grant

[1] Before me is a summons dated 23rd November 2018 for revocation of grant. Matters raised in the application as well as the affidavits filed may be formidable grounds for revocation and or annulment of a grant under **Section 76 of CAP 160**. However, the deceased died in 1989 and this cause was initiated in 1993 which is 30 and 26 years ago respectively. There has been inordinate delay in coming to court. No proper explanation on the delay that has been given by the applicants except stating that they were not aware. One other thing; the estate was distributed long time ago and much may have passed under the bridge. The court needs to understand how the estate of the deceased has been dealt with for all those years including the placement of the beneficiaries on the ground. These matters are necessary in this case if justice is to be done and seen to be done. In light thereof, I direct the petitioner to file in 14 days final account on the administration of this estate stating clearly the status of and placement of beneficiaries on the estate. I will deliver final ruling upon receipt of the accounts ordered.

Dated, Signed and delivered in open court on 20th May 2019

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F. GIKONYO

JUDGE

In presence of

Kimaita for applicant

Rimiti for petitioner/respondent

F. GIKONYO

JUDGE