



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT KAKAMEGA**

**SUCCESSION CAUSE NO 120 OF 2001**

**IN THE MATTER OF THE ESTATE OF BENJAMIN ODUNGA OTIENO (DECEASED)**

**RULING**

1. This matter was placed before me on 8<sup>th</sup> November 2018 for mention to confirm whether the administrator and the interested parties had filed their preferred modes of distribution. At the mention, only three of the parties were in attendance – the first, second and fourth objectors. I was informed that the administrator and the interested parties were yet to file their preferred modes of distribution, and on the basis of that failure counsel sought that the grant be revoked.

2. I have perused the record. I have noted that prior to the appearance before me, the parties had on three occasions appeared before Njagi J. I was during those appearances that the court gave the directions the subject of paragraph 1.

3. In view of paragraph 2 above, I am persuaded that the matter should be placed before Njagi J., on a date to be given at the registry, for further directions on the disposal of the pending business in view of the directions given by Njagi J, which the administrator and the interested parties appear to have disregarded.

**DELIVERED, DATED AND SIGNED IN OPEN COURT AT KAKAMEGA THIS 14TH DAY OF JUNE 2019**

**W. MUSYOKA**

**JUDGE**