



**REPUBLIC OF KENYA**

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

**SUCCESSION CAUSE NO 17 OF 2015**

**(FORMELY NYERI HC SUCCESSION CAUSE NO 195 OF 2015) IN THE MATTER OF THE ESTATE OF MIRRIAM NJOKI NJOROGE (alias NJOKI NJOROGE MWIHIA), DECEASED**

**1. LAWRENCE MUHIA NJOROGE (alias LAWRENCE MWIHIA NJOROGE)**

**2. CHARLES NDUNG’U NJOROGE.....ADMINISTRATORS/APPLICANTS**

**J U D G M E N T**

- 1.** The Deceased herein, **MIRRIAM NJOKI NJOROGE** (alias **Njoki Njoroge Mwhia**) died intestate on 06/06/2006. On 24/11/2016 a grant of letters of administration intestate was made jointly to the two Administrators named above; the same was issued on 29/11/2016.
- 2.** By summons dated 26/07/2017 the Administrators applied for confirmation of that grant. However, the joint supporting affidavit was not sworn by the 2<sup>nd</sup> Administrator, and the court directed on 22/05/2018 that this anomaly be corrected by way of a supplementary affidavit. Such affidavit, duly sworn by the 2<sup>nd</sup> Administrator, was filed on 12/06/2018.
- 3.** A consent in Form 37 dated 06/03/2018, duly signed by all the other dependants/survivors of the Deceased, had been filed in court on 07/03/2018. That notwithstanding, those dependants all appeared before the court on 16/07/2018. They all had no objection to confirmation of grant and distribution of the Deceased’s net estate as set out in the supplementary affidavit aforesaid. At any rate, no affidavit of protest or other objection to confirmation of grant was filed.
- 4.** In these circumstances, the court is happy to allow the summons for confirmation of grant, and confirm the grant as sought. Distribution shall be as proposed at paragraph 5 of the supplementary affidavit sworn by Charles Ndung’u Njoroge and filed on 12/06/2018. It is so ordered.

**DATED AND SIGNED AT NANYUKI THIS 30<sup>TH</sup> DAY OF OCTOBER 2018**

**H P G WAWERU**

**JUDGE**

**DELIVERED IN OPEN COURT THIS 1<sup>ST</sup> DAY OF NOVEMBER 2018**