



**REPUBLIC OF KENYA**

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

**SUCCESSION CAUSE NO. 2058 OF 2003**

**IN THE MATTER OF THE ESTATE OF GEOFREY KAMAU KIHUYU (DECEASED)**

**RULING**

1. The summons dated 11<sup>th</sup> May 2015 seeks the principal order that the certificate of confirmation of grant dated 26<sup>th</sup> November 2013 be amended to reflect the correct position.
2. I am unable to prepare the ruling in respect of the said application as my record is not complete.
3. It would appear, from the applicant's further affidavit sworn on 19<sup>th</sup> February 2016, that the respondent had filed an undated affidavit on 22<sup>nd</sup> October 2015.
4. That affidavit is not on record. It would not do justice to prepare a ruling in the absence of that affidavit.
5. Counsel for the respondent shall cause the said affidavit to be placed in the court file. Thereafter the Deputy Registrar shall cause the matter to be mentioned for further directions.

**DATED, SIGNED and DELIVERED at NAIROBI this 20<sup>TH</sup> DAY OF JANUARY, 2017.**

**W. MUSYOKA**

**JUDGE**