

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

SUCCESSION CAUSE NO. 820 OF 2009

IN THE MATTER OF THE ESTATE OF GIBSON GITHINJI GITONGA (DECEASED)

ANN MUTHONI GITHINJI.....APPLICANT

VERSUS

LUCIA WANJIKU GITHINJI.....RESPONDENT

RULING

The Applicant/Petitioner applied to this Court for review of this Court's Judgment/Ruling of 15th February, 2016 which was after interpartes hearing of both parties and their witnesses.

As of 15th November, 2016 it came to this Court's attention that the original Court file disappeared after the Court's Judgment of 15th January, 2016. The Court file was reconstructed.

Today, the Petitioner claims they have appealed this Court's Judgment and there have been no documents presented/ filed in this Court to confirm the appeal or stay of execution of this Court orders.

In absence of the same, the Court grants the Applicant/Petitioner leave to pursue the application for review on a date to be obtained from the Registry and the Court file be kept in the strong room.

DELIVERED SIGNED & DATED AT NAIROBI THIS 22ND FEBRUARY 2017.

M.W MUIGAI

JUDGE

In presence of:-

Ms. Mary Mwangi