

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIROBI

SUCCESSION CAUSES NO. 339 OF 1990

**IN THE MATTER OF THE ESTATE OF WILLIAM GITAU GITHUMBI alias GITAU
GITHUMBI (DECEASED)**

RULING

1. The application for determination is dated 28th June 2016.
2. From the respondents written submissions it appears that they did respond to it through a replying affidavit sworn on 23rd August 2016 and filed in court on 26th August 2016. I have scrupulously perused through the court file and I have been unable to trace the said replying affidavit.
3. It would not be just to determine the application without the replying affidavit. I shall therefore direct the parties to cause a copy thereof to be placed on record. A date for ruling shall thereafter be given on a mention date to be fixed at the delivery of this short ruling or at the registry on priority.

DATED, SIGNED and DELIVERED at NAIROBI THIS 2ND DAY OF JUNE, 2017.

W. MUSYOKA

JUDGE