

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MACHAKOS

SUCCESSION CAUSE NO.621 OF 2009

IN THE MATTER OF THE ESTATE OF THE LATE PETER NZILI KALELI (DECEASED)

DOMINIC KALELI NZILI

GEOFREY MAINGI NZILI.....PETITIONERS

AND

ISAAC KITAKA KALELI

STEPHEN M. KALELI.....OBJECTORS

RULING OF THE COURT

1. The Application before the court is a Chamber Summons dated 29th April, 2014. The application seeks to amend the Letters of Administration made to **PATRICIA MUMBUA NZILI** by deleting the name of **PATRICIA MUMBUA NZILI** and substitute the same with the name of **DOMINIC KALELI NZILI** and **GEOFREY MAINGI NZILI** on the ground that the person initially appointed administrator **MUMBUA NZILI** has died before confirmation of the grant.

2. The application was served upon the Okemwa & Company Advocate for objectors. They did not respond to the same. Affidavit of service was filed herein on 10th August, 2016.

3. I have carefully considered this application. It is not opposed, and since it seeks to replace a deceased administrator, I have no reason not to grant it. I have also considered the supporting affidavit of **ISAAC KITAKA KALELI**, I am satisfied that the application is merited and I herewith allow it as prayed.

Orders accordingly.

Read, Delivered and Dated this 4TH day of OCTOBER, 2016.

E. K. OGOLA

JUDGE

In the presence of:

Mr. Kaluu holding brief for R.M. Matata for Applicant

Court Assistant – Mr. Munyao