



**REPUBLIC OF KENYA**

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

**SUCCESSION CAUSE NO. 60 OF 2014**

**IN THE MATTER OF THE ESTATE OF PETER OKELLO MUGOYE - (DECEASED)**

**PATRICK ODHIAMBO OKELLO & ANOTHER.....APPLICANT**

**VERSUS**

**DORINE ARIBETA OYUGI.....RESPONDENT**

**JUDGMENT**

1. In view of the fact that there is a succession cause filed in respect of the estate of the deceased herein in Mombasa High Court succession cause No. 221 of 2003 wherein the appellants are the administrators, the grant of letters of administration to the petitioner in Rongo Principal Magistrate Succession cause No. 256 of 2013 was granted unlawfully since the same was resjudicate.
2. I hereby revoke the same grant and all subsequently orders arising therefrom with costs to the applicants herein.

**Delivered, signed and dated on this 10<sup>th</sup> day of June, 2015.**

**J. WAKIAGA**

**JUDGE**

**In the presence of:**

Mr Otieno advocate for the appellant.