

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

P&A NO.2821 OF 1995

IN THE MATTER OF THE ESTATE OF LEONARD JAMES OPIO ONGURU - (DECEASED)

WILBERFORCE ASIEPI)

EMILLY MAEVE ONGU).....APPLICANTS

VERSUS

MARGARET ONDISO OPIO)1ST RESPONDENT

SARAH NANYAMA OPIYO)2ND RESPONDENT

R U L I N G

I have perused the petition filed by Margaret Ondiso Opio before the Bungoma High Court in Succession Cause No.233/2011. It is apparent that the said Margaret Ondiso Opio filed parallel succession proceedings before the said High Court during the pendency of similar succession proceedings before this court in this succession cause. The said Margaret Ondiso Opio did so in utter abuse of the due process of the court and with a view of defeating the claim by the dependants of the estate of the deceased in this cause. That Bungoma file has now been transferred to this court. In the premises therefore, the grant issued by the said court on **25th October 2011** and confirmed on **18th June 2012** is hereby revoked. Any transfers of any of the properties belonging to the estate of the deceased done pursuant to the said confirmation of grant is hereby cancelled. The titles mentioned in the said certificate of confirmation of grant shall revert to the name of the deceased.

L. KIMARU

JUDGE

Further Order:

Further hearing on **19th and 20th May 2014**. Hearing Notice to issue to Ombete.

DATED AT NAIROBI THIS 6TH MARCH 2014

L. KIMARU

JUDGE