

IN THE HIGH COURT OF KENYA AT NAIROBI

FAMILY DIVISION

SUCCESSION CAUSE NO.2806 OF 2007

**IN THE MATTER OF THE ESTATE OF THE LATE RHODA NJOKI NJOROGE –
(DECEASED)**

LUCY NJOKI

NJOROGE.....APPLICANT

VERSUS

DANSON MUGWI NJOROGE}

**JAMES ALLAN KAMAU }
RESPONDENTS**

JANE NYAMBURA NJOGU }

R U L I N G

The Applicants seek leave to appeal against the Ruling of this court. The Ruling was delivered on 19th April 2013. I do not think that an aggrieved party requires leave of this court before he/she can mount an appeal to the Court of Appeal on substantive issues. Be it as it may, this court cannot deny the applicants the right enshrined in the Constitution to appeal against the decision of this court. If leave is required or is necessary, then this court grants the applicants leave to appeal against the said decision of this court to the appellate court. The Respondent shall in any event have the costs of the application.

DATED AT NAIROBI THIS 4TH DAY OF JUNE 2014

L. KIMARU

JUDGE