



**REPUBLIC OF KENYA**

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

**SUCCESSION CAUSE NO.77 OF 2012**

**IN THE MATTER OF THE ESTATE OF**

**CHARAN SINGH CHADHA – DECEASED**

**AND**

**HARBAN KAUR CHADHA - PETITIONER**

**RULING**

The subject matter of this ruling is the Petition dated 30<sup>th</sup> May 2014 taken out by Jaskamal Singh Chadha, in which he sought for a grant of letters of administration de bonis non with the written will annexed of the estate of Charan Singh Chadha, deceased, limited to the remaining un-administered Estate.

The Petitioner stated that Probate of the will was granted to Harbans Kaur Chadha on 27<sup>th</sup> September 2014. Unfortunately Harbans Kaur Chadha died on 9<sup>th</sup> April 2014 leaving part of the Estate of Charan Singh Chadha, deceased unadministered. Consequently the Petitioner applied for the aforesaid grant in his capacity as the Trustee of the Estate under the annexed will. The Petitioner promised to faithfully administer the remainder of the estate according to the will and to render a just and true account thereof when required to do so by the court.

After a careful consideration of the grounds set out on the face of the Petition and the facts deponed in the supporting affidavit plus the oral submissions of Mr. Koech, learned advocate for the Petitioner. I am convinced that the Petitioner has established that this court on 27<sup>th</sup> September 2013 issued a temporary grant of the letters of administration testate in respect of the Estate of Charan Singh Chadha, deceased to Harbans Kaur Chadha but unfortunately Harbans Kaur Chadha died on 4<sup>th</sup> April, 2014 before fully administering the deceased's estate. I am satisfied that the Petitioner is entitled to the orders sought to enable him regularize and complete the administration of the estate as per clause 2 of the written will. Consequently I allow the Petition as prayed.

Dated, signed and delivered in open court this 11<sup>th</sup> day of July 2014

**J. K. SERGON**

**JUDGE**

In the presence of:

Mr. Koech for Petitioner.