

No .340/2014

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MACHAKOS

SUCCESSION CAUSE NO. 1103 OF 2012

**IN THE MATTER OF THE ESTATE OF DISHON KYENGO MUSYIMI ALIAS KYENGO
MUSYIMI (DECEASED)**

ZIBORAH NDUNGWA MAKAU.....APPLICANT

RULING

1. By an application dated **28th March, 2014**, the applicant seeks to substitute **Esther Kalekye Kyengo**(deceased) as an administratrix of the estate of **Dishon Kyengo Musyimi** alias **Kyengo Musyimi**.
2. The application is premised on grounds that **Esther Kelekye Kyengo** is now deceased. The applicant being her daughter is better placed to administer her estate.
3. It is also supported by an affidavit deposed by the applicant who reiterates what is stated in the body of the application and grounds relied upon.
4. Other beneficiaries of the estate of the deceased who were in attendance consented to the order.
5. Evidence of demise of the deceased (**Esther**) is established by a death certificate No. 0100748. She died on the **31st December, 2013** at **Kasarani**.
6. In the premises, I do allow the application as prayed.
7. It is so ordered.

DATED, SIGNED and DELIVERED at MACHAKOS this 4TH day of JULY 2014.

L.N. MUTENDE

JUDGE