



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT KERICHO
SUCCESSION CAUSE NO. 85 OF 2010

IN THE MATTER OF THE ESTATE OF
BENJAMIN KIPKEMOI METETDECEASED

VERSUS

LILY CHEPKETER METET1ST PETITIONER
ALFRED CHEPKWONY METET2ND PETITIONER

RULING

The Applicants have come again for a special Grant. But they have had since July, 2010 (*when they sought and obtained special Grant that facilitated their access to Shs. 189,000/=*) to apply for a full grant. Since that time, they have made no efforts to seek a full grant. They have rushed to court again seeking another special grant so as to access Shs. 262,000/=. They have failed to assign reasons why they did not seek a full grant after July, 2010 when they obtained orders to access Shs. 189,000/=.

It is patently clear that the Petitioners are abusing the court process in seeking special grants. I refuse to allow them to continue to abuse the court process. The Applicants shall seek a full grant. The Petition is struck out on the ground that it is an abuse of the court process.

DATED at KERICHO this 2nd day of March 2011

G.B.M. KARIUKI,sc
RESIDENT JUDGE

COUNSEL APPEARING

Mr. Maengwe Advocate for the Petitioner
Court Clerk – Mr. Koech