



REPUBLIC OF KENYA



KENYA LAW
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**In re Estate of Hassan Mohammed - Deceased (Probate & Administration
372"B" of 2010) [2025] KEHC 13273 (KLR) (23 September 2025) (Ruling)**

Neutral citation: [2025] KEHC 13273 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUNGOMA
PROBATE & ADMINISTRATION 372"B" OF 2010
MS SHARIFF, J
SEPTEMBER 23, 2025**

BETWEEN

EVANS WANJALA RESPONDENT

AND

HALIMA HASSAN MOHAMED APPLICANT

RULING

1. I have perused the summons dated 24.4.2025, the affidavit in support thereof sworn by Halima Hassan Mohammed on even date and the annexures attached thereto and I do note that Mr Sichangi has indicated that the citation case lost meaning to his client hence his decision not to oppose this application. I do find that this summon is well merited given that the Citor had cited one Fatuma Hassan Mohammed a stranger to the estate of Hassan Mohammed (deceased) and not Halima Hassan Mohammed the applicant herein. I thus allow this application and make the following orders;
 - i. The citation order made herein on 13.5.2014 and all consequential orders are hereby set aside.
 - ii. The grant issued to the Respondent Evans Wanjala on 4.2.2015 is hereby revoked and/or nullified.
 - iii. The applicant is awarded costs of this application assessed at Ksh 15,000/-.
 - iv. The file is hereby marked as closed.

DATED AND DELIVERED AT BUNGOMA THIS 23RD DAY OF SEPTEMBER 2025.

M.S. SHARIFF

JUDGE

