



REPUBLIC OF KENYA

IN THE KADHIS COURT AT GARSEN

SUCCESSION CASE NO 02 OF 2018

IN THE MATTER OF THE ESTATE OF

RASHID MWNYOHA.....DECEASED

BETTY CHUNA MWANYOHA.....PETITIONER

In this succession matter dated 25th MAY 2018 the petitioner prayed for the determination of heirs of the deceased. The estate of the deceased is under the administration of the Public trustee. The petitioner claimed that, the deceased was her husband. He was survived by widow, 2 sons and daughter. The petition is not contested. The deceased left behind estate of 66,0000 /= six hundred thousand and sixty Only .which is under the administration of the Public trustee Mombasa.

Under the administration of the Public trustee Mombasa.

Ordinarily, the estate of a Muslim deceased should be strictly spent in the following sequence: burial expenses should not be extravagant, paying his debts upon proofing and be distributed among the heirs in accordance with Islamic Sharia. In this matter, we were not told of any other right attached to the estate.

Under Islamic law, the widow is entitled to one eighth (1/8) share if the deceased left a child. Under QUR'AN 4/12: (But if you have a child, then they shall have an eighth of that which you leave.)

Each son is entitled to twice the share of the daughter after deduction of the widow's share. Under Qur'an: 11-12 (Allah enjoins you concerning your children: for the male is the equal of the portion of two females).

The legal heirs and mode of distribution of the estate of RASHID MWNYOHA are:

- 1- BETTY CHUNA MWANYOHA 1D 27350148 (WIDOW) an eighth
5/40 (82500)
- 2- ABDALLAH RASHID MWANYOHA SON 12 years old (twice the share of the daughter) 14/40 (231000)
- 3- SHARIF RASHID MWANYOHA 8 years old SON years old (twice the share of the daughter) 14/40 (231000)
- 4- MARIAM RASHID MWANYOHA DOUGHTER years old 7/40 (115500)

Widow and her children their A/C No. is 01108483780000 COMPARATIVE BANK MOMBASA BRANCH .DIGO RD.

The public trustee to issue the deceased's estate to the beneficiaries'

Orders accordingly.

R/ A thirty days.

MURSAL M SIZI KADHI II- GARSEN

C/A - Guracho Abdullah

Petitioner –

3/7/2018