



In re Estate of Mohamed Kassim (Deceased) (Succession Cause 117 of 2007) [2016] KEKC 19 (KLR) (17 March 2016) (Ruling)

Mohamed Hassan Mohamed v Mariam Mohamed & 4 others [2016] eKLR

Neutral citation: [2016] KEKC 19 (KLR)

**REPUBLIC OF KENYA
IN THE KADHIS COURT AT MOMBASA
SUCCESSION CAUSE 117 OF 2007
AH ATHMAN, PK
MARCH 17, 2016**

BETWEEN

MOHAMED HASSAN MOHAMED PETITIONER

AND

MARIAM MOHAMED 1ST RESPONDENT

KHADIJA MOHAMED 2ND RESPONDENT

HANIFA MOHAMED 3RD RESPONDENT

AMIR MOHAMED 4TH RESPONDENT

MAJID HUSSEIN 5TH RESPONDENT

RULING

1. This is a ruling on distribution of the estate. Judgment in this matter was entered on January 29, 2015.
2. The estate comprised of :
 1. A half share in Mombasa / Block XXIX/ 72
 2. MSA/ Block vi/107, CR 5709/1
3. Both parties put in their valuations. By consent the valuation done by WESCO property consultants on 19th October 2015 was agreed to be the true representation of the value of the estate. It is hereby adopted.
4. It put the value as follows:
 1. Mombasa/block XXIX/72 16000000.00{1/2 share= 8000000.00



2. MSA/Block vi/1-7,CR 5709/1 17000000.00
3. Total value of the estate 25000,000.00
5. The share of the primary heirs are:
 1. Mariam Mohamed Kassim = 1/9 11.11% 2,777,777.78
 2. Khadija Mohamed Kassim = 1/9 11.11% "
 3. Hawa Mohamed Kassim = 1/9 11.11% "
 4. Hussein Mohamed Kassim = 2/9 22.22% 5,555,555.56
 5. Ali Mohamed Kassim = 2/9 22.22% "
 6. Hassan Mohamed Kassim = 2/9 22.22% "
6. The final list of heirs and their respective shares in monetary terms are:
 1. Mariam Mohamed Kassim 4,166,666.67
 2. Amir Hussein Mohamed 1,234,567.90
 3. Nazir Hussein Mohamed "
 4. Abdulrasul Hussein Mohamed "
 5. Sharifa Hussein Mohamed 617,283.95
 6. Mariam Hussein Mohamed "
 7. Zubeda Hussein Mohamed "
 1. Abdulmajid Omar Jalalkhan 427,350.42
 2. Farida Omar JalalKhan 213,675.25
 3. Jalalkhan Omar Jalalkhan 427,350.42
 4. Zulekha Omar Jalalkhan 213,675.42
 5. Jangikhan Omar Jalalkhan 427,350.42
 6. Shamim Omar Jalalkhan 213,675.25
 7. Shamsad Omar Jalalkhan "
 8. Mumtaz Omar Jalalkhan "
 9. Rukhsana Omar Jalalkhan "
 10. Fauzana Omar Jalalkhan "
 11. Shawana [in Muscat] 694,444.45
 12. Mohamed Ali Mohamed 1,944,444.45
 13. Fatma Ali Mohamed 972,222.16
 14. Hamida Ali Mohamed "



15. Amina Ali Mohamed "
16. Khanifa Bayan 1,388,888.89
17. Mohamed Hassan Mohamed 2,777,777.78
18. Kassim Hassan Mohamed 2,777,777.78
19. 24,999,999.90

Orders accordingly.

DATED AND DELIVERED AT MOMBASA ON 17TH MARCH, 2016.

ABDULHALIM H. ATHMAN

PRINCIPAL KADHI

In the presence of :

Mr. Yusuf K. Abdulrahman, Court Assistant

Mr. Oddiaga for petitioner

Mr. Hassan for Respondent

