



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAKURU

SUCCESSION CAUSE NO. 350 of 1998

IN THE MATTER OF THE ESTATE OF THE LATE MATHEW HANNY

WANG'ALIA (DECEASED)

RULING

1. I find partial merit in the application protest dated 22nd August, 2025.
2. **Mercy Wangalia** shall be entitled to an equal share to the children of the deceased.
3. The plea by the objector is hereby dismissed. The protestor's protest is equally dismissed.
4. The Court is of the view that **Bokoli Mukuni/342** is currently is in ownership dispute and the same can be adjudicated in the correct forum. This property shall be left out until resolved.
5. As for the objector's case this court finds no basis and that a father cannot be a dependant/or beneficiary to inherit from his son.

6. The property **Kiminini/30** acres is not in the name of the deceased and does not constitute part of the estate.
7. The petitioner is directed to file a fresh mode of distribution within 30 days to include **Mercy Wangalia**.

Signed Dated and Delivered at Nakuru

This 7th day of November, 2025.

Mohochi S.M.
Judge