



REPUBLIC OF KENYA



**In re Estate of Julius Arnold Sanga Kai (Deceased) (Succession Cause E939 of 2021)
[2025] KEHC 16031 (KLR) (Family) (6 November 2025) (Directions)**

Neutral citation: [2025] KEHC 16031 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
SUCCESSION CAUSE E939 OF 2021
HK CHEMITEI, J
NOVEMBER 6, 2025
IN THE MATTER OF THE ESTATE OF THE LATE
JULIUS ARNOLD SANGA KAI (DECEASED)**

BETWEEN

NYADZUA KAI MWANGO APPLICANT

AND

MONICA ACHIENGA ORIAGO 1ST RESPONDENT

KEIDY KAI SANGA 2ND RESPONDENT

DIRECTIONS

1. Before this court are two sets of applications. The first application dated 12th August 2021 by Nyadzua Kai Mwango seeks to have the grant dated on 26th July 2021 revoked.
2. The same is supported by her affidavit sworn on 12th November 2021. The gist of her application is that the Respondents misrepresented to the court that they were the only beneficiaries to the estate yet there were others including himself.
3. That the deceased had divorced and separated with the Respondent among other reasons.
4. The second application for limited letters of administration dated 9th January 2025 seeks that the Applicant be granted the said letters in respect to this cause for purposes of administering the estate.
5. The Respondent Keidy Kai Sanga vide a replying affidavit sworn on 17th January 2025 has opposed the same on the grounds that since there was already a confirmed grant it is inconceivable that a limited grant can still be issued.



6. I find that these are factual issues which can only be determined by way of oral evidence. These for instance include the question of whether the deceased had divorced and or separated with the Applicant and whether or not there were issues out of wedlock among others.
7. Affidavits evidence alone cannot be sufficient in my view.
8. The application for limited letters of administration cannot stand and I decline it forthwith for the simple reason that there is already a confirmed grant. Let the Applicant agitate her claim through the same.
9. I have perused the two applications and direct as hereunder.
 - (a) The application dated 12th August 2023 shall be heard by way of oral evidence as the issues discussed therein can only be tested by cross way of examination.
 - (b) The parties are hereby granted leave to file and exchange further affidavits and or witness statements within 30 days from the date herein.
 - (c) The application dated 9th January 2025 is hereby dismissed for the reason that there is already a valid grant in the estate dated 4th July 2022.
 - (d) Pending the determination of the objection proceedings herein there be stay of usage of the grant dated 4th July 2022.
 - (e) Costs shall await the outcome of the cause.

DATED SIGNED AND DELIVERED VIA VIDEO LINK AT NAIROBI THIS 6TH DAY OF NOVEMBER 2025.

H K CHEMITEI

JUDGE

