



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
SUCCESSION CAUSE NO. E550 OF 2023
(AS CONSOLIDATED WITH NO. E3183 OF 2022)
IN THE MATTER OF THE ESTATE OF THE LATE MACHARIA
KAGIO (DECEASED)

CATHERINE NJERI MACHARIA

APPLICANT

VERSES

EDWARD MWANGI MACHARIA 1ST

RESPONDENT

JAMES IRUNGU MACHARIA 2ND

RESPONDENT

DIRECTIONS

1. The late Macharia Kagio passed on 23rd May 2022 leaving behind a written Will dated 1st June 2021.
2. The Respondent who are Executors of the said Will were granted temporary letters of administration by this court.
3. The Applicant who are the sisters to the Respondents filed various applications seeking orders that the same be revoked.

4. There are also some applications by some beneficiaries claiming purchasers' interest in the estate.
5. Before these court are the following applications, dated **28/3/23, 15/6/23, 5/9/23, 15/2/24, 28/4/24, 1/10/24, 31/10/24, 24/3/25, 15/5/25, 24/5/25, 18/6/25, 28/7/25** and I suspect more could be on the way.
6. I have perused the 12 applications and, in my view, it does not make any sense to write twelve rulings. It is appreciated that there is a Will made by the deceased and I do not see any reasons why the parties should not gravitate around the said Will.
7. The major protagonist herein are the deceased children and I think the best approach is to determine the validity of the Will or otherwise.
8. This court on 26.5.2023 issued status quo orders and I do not see the same having been set aside. The status quo was to operate from the said date.
9. **Consequently, I direct that:-**
 - (a) **The pending applications are deemed objections to the Will and the Applicant's granted thirty days from the date herein to file and serve any further affidavits and or witness statements.**

- (b) The Respondents upon service shall within 30 days thereafter file any responses and or witness statements.**
- (c) The *status quo* orders dated 26/5/2023 are hereby extended pending the determination of the objection proceedings herein.**
- (d) The objection shall be heard by way of viva voce evidence.**
- (e) No other application shall be filed without the leave of the court.**

**Dated signed and delivered via video link this
16th day of December 2025.**

**H K CHEMITEI
JUDGE**