

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

SUCCESSION CASE NO. 667 OF 2014

IN THE MATTER OF THE ESTATE OF AMINA JUMA KASSAM -

(DECEASED)

GULZAR ABDUL WAIS

.....PETITIONER

-VERSUS-

YASMIN RASHID GANATRA 1ST

PROTESTOR/APPLICANT

TARIQ ABDUL RASHID 2ND

PROTESTOR/APPLICANT

RIZVAN ABDUL RASHID 3RD

PROTESTOR/APPLICANT

NAUSHEEN U. GANATRA 4TH

PROTESTOR/APPLICANT

DIRECTIONS

1. The grant herein is already confirmed and the shares of each beneficiaries have been identified.
2. The current status of the cause is that the implementation of the grant has not been concluded. The protestors feel that the petitioner is out to delay the matter to their prejudice.
3. I have looked at the court record. The petitioner filed an application seeking leave to appeal against the judgment herein. The Court of Appeal dismissed the application on 18/7/2025.
4. That being the case, the petitioner is duty bound to comply with the orders of the court and implement the grant.
5. On 17/1/2025, I gave directions herein and allowed part of the prayers sought by the petitioner in her application dated 14/10/2024.
6. If the petitioner was genuine in her intention to implement the grant, I would expect that she would have taken steps to act on the property that has no issue. Instead, she keeps raising one excuse after another.
7. The matter is now past any arguments regarding the estate. All that remains is that the grant to be implemented. If the

petitioner cannot act with reasonable speed to implement the grant, this court has powers under section 76 of the Law of Succession Act on its own motion, and without being prompted by the protestors, to revoke the grant issued to her. This is the course that the court will take if the petitioner does not satisfy the court that she is candid and diligent about the implementation of the grant.

8. In that respect, the following directions do issue:

- i. The Administrator is given 60 days to complete the transmission of the estate to all the beneficiaries,***
- ii. The Administrator is directed that where necessary and if so requested by any beneficiary, to execute all the requisite documents and hand them to the said beneficiary.***
- iii. If the court is not satisfied as to the performance of the Administrator, the grant herein may be revoked as earlier indicated.***
- iv. Mention date to be given in court.***

**Dated, signed and delivered at Meru this 19th day of
January 2026.**

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**H. M. NYAGA
JUDGE**