

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT HOMA BAY
SUCCESSION CAUSE NO. 20 OF 2019
IN THE MATTER OF THE ESTATE OF MARSALUS ONYANGO
OBIERO (DECEASED)

FRANCIS OBOP ONYANGO.....
.....PETITIONER

AND

ISHMAEL OCHIENG
OKULO.....OBJECTOR

RULING

[1] This ruling is in respect of the Summons dated 16th May 2025. The application was brought pursuant to **Article(s) 48, 150(2) & 165(3)** of the Constitution of Kenya 2010: **Section 74** of the Law of Succession Act, Cap 160 Laws of Kenya; **Rule 49** of the Probate & Administration Rules and all other enabling provisions of the law) for the following orders:

[a] That the Honourable Court be pleased to review or vary the orders issued on 29th January, 2024 by rectifying and replacing the name of **Steven Obop Okulo Anyango** with **Francis Obop Anyango**.

[b] That costs of this application be provided for.

[2] The was premised on the grounds that:

[a] While lodging the application dated 20th April, 2023, Counsel for the applicant inadvertently misquoted the name of the 2nd Administrator/Petitioner.

[b] That throughout the proceedings and even according to the land records and national ID, the 2nd Administrator/Petitioner has been properly identified as **Francis Obop Anyango** and not **Steven Obop Okulo Anyango**.

[c] That it is in the interest of justice that the instant application be allowed.

[3] The application was supported by the affidavit of **Ismael Ochieng Okulo** in which he averred that while lodging the application dated 20th April, 2023, his Counsel inadvertently misquoted the name of the 2nd Administrator/Petitioner; and that pursuant to the said application, the Honorable Court issued orders dated 29th January, 2024 in which the 2nd Administrator/Petitioner is misquoted as **Steven Obop Okulo Anyango**. He reiterated that the official name of the 2nd administrator, per his Identity Card, is **Francis Obop Anyango**; which is the name used throughout the proceedings.

[4] The application is merited and is also unopposed. The same is hereby allowed and orders granted as follows:

[a] That the orders issued on 29th January, 2024 be and are hereby rectified by replacing the name of **Steven Obop Okulo Anyango** with **Francis Obop Anyango**.

[b] That costs of this application be in the cause.

It is so ordered.

**DATED, SIGNED AND DELIVERED VIRTUALLY AT HOMA BAY
THIS 13TH DAY OF FEBRUARY 2026**

OLGA SEWE

JUDGE

ORIGINAL