



THE REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
SUCCESSION CAUSE NO. 1366 OF 2015
IN THE MATTER OF THE ESTATE OF IRENE MUMBI
WAWERU (DECEASED)

PHILIP KIBE MBUGUA

APPLICANT

DAVID MBUGUA (DECEASED) THROUGH

ROSE NYAWIRA KIBE

APPLICANT

VERSUS

ROSE WANJIRA KIBE

RESPONDENT

NANCY NYOKABI KIBE

RESPONDENT

DIRECTIONS

1. This matter comes before me for directions following the filing of the Report of the Assistant Deputy Registrar dated **24th October, 2025**. The report was prepared pursuant to Court directions issued on **23rd June, 2025** to examine the accounts of the estate of the late Irene Mumbi Waweru, the deceased herein.

2. Upon perusal of the Assistant Deputy Registrar's findings, it is evident that the Administrators James Waweru Kibe, Rose Wanjiru Kibe and Nancy Nyokabi Kibe have only partially complied with the consent order of **20th November, 2024** and subsequent court directions.
3. Specifically:-
 - a) The Administrators have failed to provide bank statements for the period **17th January, 2014** (the date of the deceased's demise) to **6th February, 2017** (the date of issuance of the certificate of confirmation of grant).
 - b) There are unresolved material discrepancies in the provided financial figures.
 - c) A formal demand for **Kshs. 33,326,406/=**, being a one-sixth share of the deceased's estate, made by Rose Nyawira Kibe remains unanswered and unpaid by the Administrators.
4. To ensure the transparent and just administration of this estate it is necessary that they comply. I note that the issues bedeviling the parties are purely mathematical and simple accounts. The records are available either with them or more specifically with the banks. I do not see any reason why they failed to provide the honorable Deputy Registrar with the same.
5. Consequently, I hereby issue the following directions:-
 - (a) The Administrators are hereby ordered to file and serve comprehensive, updated accounts for all estate bank accounts covering the**

period from 17th January, 2014 to 6th February, 2017 twenty-one (21) days from the date of issuance of these directions, failure to which they be cited for contempt.

- (b) The Administrators are hereby ordered to file and serve documentary proof of all receipts, withdrawals and expenditures on all the estate accounts to verify whether any dealings within twenty-one (21) from the date herein and in default they be cited for contempt.**
- (c) The Administrators are hereby ordered to file a detailed affidavit within twenty-one (21) days specifically addressing the discrepancies raised in the affidavit of Rose Nyawira Kibe sworn on 19th March, 2025.**
- (d) The issue of the payment of Kshs. 33,326,406/= to Rose Nyawira Kibe is hereby reserved for determination by this Court immediately upon the filing and verification of the full accounts and documentary evidence aforementioned.**
- (e) The pending applications dated 22nd September, 2023 and 25th September, 2023 be held in abeyance until the Administrators comply with Clause 2 of the consent order recorded by this court on 20th November, 2024.**

**Dated signed and delivered at Nairobi via video link
this 19th March 2026.**

H K CHEMITEI
JUDGE