

**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT KIAMBU**

**SUCCESSION CAUSE NO.E047 OF 2025**

**IN THE MATTER OF THE ESTATE OF THE LATE PAUL MBUGUA  
NDEGWA (DECEASED**

**MARYANN WANGUI MBUGUA ...APPLICANT/INTENDED OBJECTOR**

**VERSUS**

**PHILIP NDEGWA MBUGUA ..... 1<sup>ST</sup> RESPONDENT/PETITIONER**

**PAULING MWERU MBUGUA ..... 2<sup>ND</sup> RESPONDENT/PETITIONER**

**DIRECTIONS**

1. This matter came up for Directions on 5<sup>th</sup> March, 2026, wherein it was noted that there are two pending applications before court, being:-

*a) The Application dated 7<sup>th</sup> October, 2025 in which the Applicant is seeking to have Maryann Wangui Mbugua added as an administrator of the estate herein.*

*b) The Summons for Confirmation of Grant dated 21<sup>st</sup> October, 2025.*

2. The Counsel for the Petitioners informed court that they have responded to the Objector's application and filed submissions dated 26<sup>th</sup> January, 2026 to the two applications. He also stated that **M/S Nganga** had also filed and

served their submissions dated 4<sup>th</sup> March, 2026 in respect of the application dated 7<sup>th</sup> October, 2025, which then left the Petitioner's application dated 21<sup>st</sup> October, 2025 unopposed. **Mr. Kabucho**, counsel for the Petitioners proposed that the court directs that **Summons for Confirmation of Grant** having been filed, the Objector be allowed to file and serve a **Protest** to the same since the Objector's application dated 7<sup>th</sup> October, 2025 involves an issue of property. That the parties can then be directed to either dispose of the same by either submissions or by *viva voce* evidence so as to save on court's time.

3. The Counsel for the Objector, **M/S Nganga** stated that her application dated 7<sup>th</sup> October, 2025 had been filed first and submissions in support and in opposition have already been filed. She also pointed out that her clients were left out and thus, if it was an issue of saving on court's time, he be included as an Administrator of the Estate as one of the Applicants is out of the country. She confirmed that if the counsel was agreeable to their request, then she could file a **Protest**, but if not, then the court should proceed and issue directions on how to proceed with the application.
4. Having listened to both counsel for the Administrators and the Intended Objector, the court finds that the parties appear to be in agreement to the

proposal that the Objector puts in a **Protest** to the **Summons for Confirmation of Grant** dated 21<sup>st</sup> October, 2025. This being the case, the following directions issue:-

- a) *The Intended Objector shall file and serve a Protest in respect to the Summons for Confirmation of Grant dated 21<sup>st</sup> October, 2025 within fourteen (14) days from the days hereof.*
- b) *The Summons for Confirmation of Grant shall proceed for hearing by way of viva voce evidence.*
- c) *Mention on 16<sup>th</sup> April, 2026 for parties to take directions on a hearing date.*

It is so ordered.

**RULING/DIRECTIONS DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 25<sup>TH</sup> DAY OF MARCH, 2026.**

**D. O. CHEPKWONY**  
**JUDGE**

**In the presence of:**

**M/S Odongo holding brief for Mr. Kabucho counsel for the Administrators**

**No appearance for and by Objector**

**Court Assistant - Martin**