

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT BUNGOMA
FAMILY DIVISION
PROBATE & ADMINISTRATION
CASE NO. HCFP & A/E036 OF 2025

In the Matter of the estate of **STEPHEN SILALI WALIULA**
(DECEASED)

-AND-

EMILY

NANJALA

BARASA

.....**APPLICANT**

RULING

- 1)** Emily Nanajala Barasa, the applicant, seeks a limited grant ad Colligenda Bona. She seeks the said grant for the purpose of collecting and preserving the assets of the estate, particularly parcels of land purchased for different persons whose assets had not been transferred to him at the time of his death.
- 2)** I have considered the applicant's application. Section 54 of the Law of Succession Act provides that, according to the circumstances of each case, a court may limit any grant of representation which it has jurisdiction to make, in any of the forms described in the Fifth Schedule to this Act. Rule 36 of the Probate and Administration provides for the circumstances under which a court can issue a grant colligenda bona. The applicant has stated that the deceased bought land from different people and that the land hasn't been transferred to

the deceased. She seeks to collect and preserve the estate of the deceased.

- 3)** The application has merit. The court will grant the petitioner letters of administration ad colligenda bona, as prayed for, solely for the purpose of collecting and preserving the deceased's estate and its assets, particularly parcels of land purchased by the deceased.
- 4)** The grant shall be for a limited period of six months, during which the petitioner should file a petition for a further grant of letters of administration under the Law of Succession Act, Cap 160.

Dated, signed and delivered virtually on this 9th day of April 2026.

**R. OUGO
JUDGE**

In the presence of:

Applicant - Absent

Wilkister - Court Assistant.