



**IN THE COURT OF APPEAL**

**AT NAIROBI**

**(CORAM: D. K. MUSINGA, J.A.)**

**CIVIL APPEAL NO. 252 OF 2019**

**BETWEEN**

**DANIEL KAHARA WAKIGO..... APPELLANT**

**AND**

**JOHN KIUMBUKU CHEGE.....1ST RESPONDENT**

**JAMES GITAU CHEGE..... 2ND RESPONDENT**

**SIMON MACHIEYA CHEGE..... 3RD RESPONDENT**

**HARRISON MUCHENE CHEGE..... 4TH RESPONDENT**

**THE PUBLIC TRUSTEE..... 5TH RESPONDENT**

**(Being an appeal from the Ruling and Order of the High Court of Kenya at Nairobi (W. Musyoka, J.) delivered on 14th June 2018**

*in*

***H.C. Succ. Cause No. 202 of 1990.)***

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**RULING**

1. By an application dated 25th September 2020, Naomi Wairimu Kahara, the widow of Daniel Kahara Wakigo, the deceased appellant, seeks to be substituted as the appellant in place of her deceased husband, who died on 5th May 2020. The applicant obtained limited grant of letters of administration of the deceased’s estate on 11th September 2020.

2. The application is not opposed. As the application was brought in accordance with the provisions of rule 99(1) of this Court’s Rules, I hereby allow the same with no order as to costs.

**DATED AND DELIVERED AT NAIROBI THIS 23RD DAY OF APRIL, 2021.**

**D. K. MUSINGA**

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**JUDGE OF APPEAL**

*I certify that this is a true copy of the original.*

*Signed*

**DEPUTY REGISTRAR**