



In re Estate of Ramadhan Wambani Angaya alias Ambani Andaya (Succession Cause 164 of 2013) [2025] KEHC 869 (KLR) (30 January 2025) (Ruling)

Neutral citation: [2025] KEHC 869 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAKAMEGA
SUCCESSION CAUSE 164 OF 2013
SC CHIRCHIR, J
JANUARY 30, 2025
IN THE MATTER OF THE ESTATE OF RAMADHAN
WAMBANI ANGAYA ALIAS AMBANI ANDAYA.**

BETWEEN

JARED ANGAYA AMBANI PETITIONER

AND

ALFRED OMUSEBE WAMBANI BENEFICIARY

AND

BEATRICE KHAMETE MUSINYA APPLICANT

RULING

1. Through summons dated 29th June 2023, the Applicant herein has moved the court seeking for the following orders;
 - a. That the applicant Beatrice Khamete Musinya be allowed to substitute Alfred Omusebe Wambani, her deceased husband and the defendant herein
 - b. That such orders as shall meet the ends of justice be made.
 - c. That the costs of this application be provided for.
2. The Application is anchored on the grounds set out therein and supported by the Affidavit of the Applicant
3. The applicant deposes that she is the wife of the Beneficiary named Alfred Omusebe Wambani who is now deceased; that Mr. Alfred was a beneficiary in the estate of the deceased , and he died on 26th December 2019. A copy of Alfred's death certificate is attached. She further states that she has obtained a Limited Grant of Letters of Administration Ad litem in respect of her late husband's Estate giving



her the legal capacity to continue with the case. She therefore prays that the court grants the orders as sought.

Determination

4. The Applicant wishes to substitute Alfred Omusebe Musinya , who described himself as a beneficiary of the deceased 's estate and the Applicant in the summons dated 1st November 2018. She has attached the death certificate of the said Alfred and Grant ad litem issued to her on 24th April 2023 giving her the Authority to continue litigating on this cause.
5. The Applicant has demonstrated that she has the locus standi to represent her husband and the prayers sought are therefore warranted.
6. Consequently it is hereby ordered that henceforth Beatrice Khamete Musinya has substituted Alfred Omusebe Musinya in this cause.

DATED, SIGNED AND DELIVERED AT KAKAMEGA THIS 30TH DAY OF JANUARY 2025.

S. CHIRCHIR

JUDGE

