



REPUBLIC OF KENYA



**In re Estate of Walter Ouma Ofugu (Deceased) (Succession Cause 334 of 2012) [2025] KEHC 7093 (KLR) (29 May 2025) (Ruling)**

Neutral citation: [2025] KEHC 7093 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT BUSIA  
SUCCESSION CAUSE 334 OF 2012  
WM MUSYOKA, J  
MAY 29, 2025**

**IN THE MATTER OF THE ESTATE OF WALTER OUMA OFUGU (DECEASED)**

**RULING**

1. I am called upon to determine an application, dated 25<sup>th</sup> March 2025. It seeks cancellation of titles, and for fresh survey works to be done.
2. However, I note that there are ongoing proceedings, oral, founded on an application, dated 20<sup>th</sup> May 2024, for revocation of the grant.
3. I doubt that it would serve justice, to be cancelling titles and doing survey works, while proceedings for revocation of the grant are ongoing.
4. Let the applicant, in the application dated 25<sup>th</sup> March 2025, join the proceedings in the application dated 20<sup>th</sup> May 2024, so that the two applications can be heard and determined simultaneously.

**DELIVERED VIA EMAIL, DATED AND SIGNED IN CHAMBERS, AT BUSIA, ON THIS 29<sup>TH</sup> DAY OF MAY 2025.**

**WM MUSYOKA**

**JUDGE**

Mr. Arthur Etyang, Court Assistant.

Advocates

Mr. Joseph Juma, instructed by JV Juma & Company, Advocates for the applicant, in the application dated 25<sup>th</sup> March 2025.

Mr. Barasa Ouma, instructed by B.M. Ouma & Company, Advocates for the applicant in the application dated 20<sup>th</sup> May 2024.

Mr. Wanyama, instructed by Wanyama & Company, Advocates for the Objector.

