



**In re Estate of Rahmatalli Abdula Wallimohamed alias Rahmatalli Abdula (Deceased)
(Succession Cause 2285 of 2010) [2025] KEHC 12235 (KLR) (Family) (29 August 2025) (Ruling)**

Neutral citation: [2025] KEHC 12235 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
SUCCESSION CAUSE 2285 OF 2010
H NAMISI, J
AUGUST 29, 2025
IN THE MATTER OF THE ESTATE OF RAHMATALLI ABDULA
WALLIMOHAMED ALIAS RAHMATALLI ABDULA (DECEASED)**

**IN THE MATTER OF
SONAL TEJPAN APPLICANT**

RULING

1. By Notice of Motion dated 13 May 2025, the Applicant seeks the following prayers:
 - i. Spent;
 - ii. That the Honourable Court be pleased to review the Certificate of Confirmation of Grant of 15 March 2016 issued in respect of the Estate of Rahmatalli Abdula Wallimohamed alias Rahmatalli Abdula (Deceased) in the following terms:
 - a. Include a schedule of all the assets comprising the estate of the Deceased (the Deceased's estate) as per the inventory of assets and liabilities attached to the Petition of Grant of Letters of Administration with Written Will annexed dated 8 November 2010;
 - b. Include the Deceased's one-half share in all that piece of land situate in Nairobi Municipality comprised in Land Reference No. 209/3414 (I.R 14850) in the Schedule of assets comprising the Deceased's estate; and
 - c. Issue a rectified Grant of Probate and rectified Certificate of Confirmation of Grant to Sonal Tejpar (formerly known as Sonal Sejpal) as the sole attorney of the Executors of the Deceased's estate.
 - iii. The costs of this Application be paid out of the Deceased's estate.



2. The Application is filed under the provisions of Order 45 Rule 1(1) of the Civil Procedure Rules and section 47 of the Law of Succession Act and Rule 63 of the Probate & Administration Rules. It is premised on the grounds on the face of the application and supported by an Affidavit sworn by the Applicant.
3. In her Affidavit, the Applicant avers that she is the sole Attorney of Aryn Mohamed Abdula and Abdallah Abdula, the Executors of the Deceased named in the Will dated 23 March 1985. Previously Mirabeau Humberto da Gama-Rose (now Deceased) and Aurelio Rebelo were the Attorneys of the Executors, to whom Grant of Letters of Administration was issued on 16 June 2011 and subsequently confirmed on 7 February 2012.
4. Mirabeau Humberto da Gama-Rose passed away and was subsequently substituted by the Applicant herein, vide Chamber Summons dated 23 March 2015. The Grant of Probate with Written Will was rectified on 15 March 2016, with Aurelio Rebelo and Sonal Sejpal as the duly appointed Attorneys for the Executors.
5. Annexed to the Supporting Affidavit are two Revocations of Power of Attorney executed by Aryn Mohamed Abdula and Abdallah Abdula on 16 December 2021 and 15 December 2021, respectively. In the duly registered documents, the Executors revoke the General power of Attorney conferred on Mirabeau Humberto da Gama-Rose (now Deceased) and Aurelio Rebelo. This, in effect, leaves the Applicant herein as the sole Attorney for the Executors.
6. Further, the copy of title annexed to the Application denotes the ownership of LR No. 209/3414 (I.R. No. 14850) as joint between the Deceased herein and Abdulazziz Abdula.
7. I have considered the Application and Affidavit in support thereof. The Application is meritorious and the same is hereby allowed. I make the following orders:
 - a. That the Certificate of Confirmation of Grant dated 7 February 2012 and rectified on 15 March 2016 shall be further rectified by deleting the name of Aurelio Rebelo as Attorney for the Executors and issued to Sonal Tejpar (formerly known as Sonal Sejpal) as the sole attorney of the Executors of the Deceased's estate.
 - b. That the said Certificate of Confirmation of Grant dated 7 February 2012 and rectified on 15 March 2016 shall be reviewed to include a schedule of all the assets comprising the estate of the Deceased as per the inventory of assets and liabilities attached to the Petition for Grant of Letters of Administration dated 8 November 2010;
 - c. That the said Certificate of Confirmation of Grant dated 7 February 2012 and rectified on 15 March 2016 shall be reviewed to include one-half (1/2) share in all that piece of land situate in Nairobi Municipality comprised in Land Reference No. 209/3414 (I.R. 14850) in the Schedule of assets comprising the Deceased's estate, which property shall be distributed in accordance with clause 3(f) of the Will dated 23 March 1985.

DATED AND DELIVERED AT NAIROBI THIS 29 DAY OF AUGUST 2025

HELENE R. NAMISI

JUDGE OF THE HIGH COURT

Delivered on virtual platform in the presence of:

Applicant: Mr. Stephen Deche

Court Assistant: Lucy Mwangi

