



**In re Estate of Sophia Njoki Karanja (Deceased) (Probate & Administration
E546 of 2025) [2025] KEHC 12236 (KLR) (Family) (29 August 2025) (Ruling)**

Neutral citation: [2025] KEHC 12236 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
PROBATE & ADMINISTRATION E546 OF 2025
H NAMISI, J
AUGUST 29, 2025
IN THE MATTER OF THE ESTATE OF SOPHIA NJOKI KARANJA (DECEASED)**

**IN THE MATTER OF
DAVID IRUNGU MWANGI 1ST PETITIONER
BRENDA NYOKABI KARANJA 2ND PETITIONER**

RULING

1. The Deceased herein passed away on 7 April 2024 in Nairobi County. She died intestate. The Petitioners have presented a Petition for Special Limited Grant dated 4 July 2025 as amended orally on 6 August 2025. The same is presented in their capacity as a husband and daughter to the Deceased, respectively.
2. The Petition is supported by an Affidavit by the Petitioners in which they aver that at the time of her death, the Deceased operated a bank account at NCBA Bank Ltd, Prestige Branch, Account No. 118*****014. The Petition seeks an order to authorise a one-time withdrawal of Kshs 866,000 from the said account.
3. The Deceased is survived by three beneficiaries, namely, David Irungu Mwangi, Brenda Nyokabi Karanja and Any Gakenia Irungu (Minor). The Petitioners state that they require Kshs 866,000/- for school fees for Amy Gakenia Irungu who is enrolled at Braeside Lavington School.
4. To the Application, the Petitioners attached a copy of letter dated 29 May 2025 from the Chief, Muchungu Location, Muranga County, confirming the Beneficiaries. There is a letter dated 23 June 2025 from Braeside Lavington, confirming that Amy Gakenia is enrolled there, as well as a Termly Fee Structure.
5. Both Petitioners appeared before the Court to confirm the contents of their Affidavit.



6. Sections 54 and 67 (1) of the *Law of Succession Act*, Cap 160 of the Laws of Kenya and Rule 36 of the Probate and Administration Rules provide the circumstances under which a Special Limited Grant may be issued by the Court.

(54) A court may, according to the circumstances of each case, limit any grant of representation which it has jurisdiction to make, in any of the forms described in the Fifth Schedule to this Act.

(67) No grant of representation, other than a Limited Grant for Collection and Preservation of Assets, shall be made until there has been published notice of the application of such grant, inviting objections thereto to me made known to the court within a specified period of not less than thirty days from the date of publication, and the period so specified has expired.

(36) Where, owing to special circumstances the urgency of the matter is so great that it would not be possible for the court to make a full grant of representation to the person who would by law be entitled thereto in sufficient time to meet the necessities of the case, any person may apply to the court for the making of a grant of administration ad colligenda bona defuncti of the estate.

7. I have considered the Application and attachments. It is clear that there are pressing financial needs by the Petitioners that must be met. In the circumstances, any authority to access the money in the accounts should be limited to the education costs for the minor.

8. In order to preserve the assets of the estate, the access granted to the Petitioners shall be limited to NCBA Bank, Prestige Branch, Account Number 118*****0014 to the tune of Kshs 866,000/=. Any further dealing with the estate of the Deceased must be with the authority of the Court or upon full grant of representation.

9. In summary, I make the following orders:

- i. That a Special Limited Grant is hereby issued to the Petitioners only for purposes of settlement of the fees to Braeside Lavington School for Amy Gakenia Irungu;
- ii. That the Petitioners shall have access to the Deceased's bank account held at NCBA Bank, Prestige Branch, Account Number 118*****0014, for purposes of withdrawing Kshs 866,000/=, which sum of money shall be payable directly to Braeside Lavington High School;
- iii. That the Petitioners shall furnish the Court with statements of the bank account within 30 days of the date hereof.
- iv. This being a family matter, I make no orders on costs.

DATED AND DELIVERED AT NAIROBI THIS 29 DAY OF AUGUST 2025

HELENE R. NAMISI

JUDGE

Delivered on virtual platform in the presence of:

Petitioners: Ms. Tibira

Court Assistant: Lucy Mwangi

