



REPUBLIC OF KENYA



**In re Estate of Margaret Okelo Odunga (Deceased) (Succession Cause
883 of 2003) [2024] KEHC 4845 (KLR) (25 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 4845 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
SUCCESSION CAUSE 883 OF 2003
RE ABURILI, J
APRIL 25, 2024
IN THE MATTER OF THE ESTATE OF MARGARET OKELO ODUNGA
(DECEASED)
AND
IN THE APPLICATION BY JANE ANYANGO MUGAR - APPLICANT**

RULING

1. I have considered the application dated 17th April 2024 which seeks to rectify the grant issued to the Administrator/Applicant as confirmed on 3rd August 2022, the grounds in support and deposition by the Applicant sole beneficiary of the estate of the deceased Margaret Okello Odunga.
2. It is asserted and deposed that the property of the estate was wrongly described as Kisumu/Manyatta/340 instead of Kisumu/Manyatta 'A'/2381.
3. As the Applicant is the sole beneficiary of the estate and the asset which was misdescribed, I find merit in the application.
4. I set aside the erroneous order of misdescription and substitute it with an order that the grant issued in favour of the sole beneficiary/Applicant herein and confirmed on 3rd August 2022 be and is hereby reissued to accord with paragraph 5 of the summons for rectification of grant supporting affidavit.
5. A fresh certificate of confirmation of grant to issue.
6. This file is closed subject to Section 83 of the [Laws of Succession Act](#) on filing of accounts.
7. I so order.

Dated, Signed and Delivered at Kisumu this 25th Day of April, 2024

R. ABURILI

JUDGE



