



In re Estate of Washington Ogola Owiti (Deceased) (Miscellaneous Succession Cause E031 of 2024) [2024] KEHC 6445 (KLR) (30 May 2024) (Ruling)

Neutral citation: [2024] KEHC 6445 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS SUCCESSION CAUSE E031 OF 2024**

RE ABURILI, J

MAY 30, 2024

BETWEEN

MARY ANYANGO OMBURA APPLICANT

AND

HELLEN ADHIAMBO AKELLO RESPONDENT

RULING

1. I have perused the summons for revocation and annulment of grant dated 22nd May 2024, the grounds in support and the supporting affidavit as well as the annexures thereto.
2. The main Succession Cause file is HC Succession Cause No. 514 OF 2001 which was closed on 25th July 2022 upon the confirmation of grant.
3. I have also perused the certificate of urgency. I am satisfied that the application is urgent as land which is subject of the estate property and allegedly belonging to a totally different deceased person's estate was acquired by the Petitioner/Respondent whose acquisition is under challenge.
4. I certify the application dated 22nd May 2024 as urgent. I direct that Applicant to serve the Respondent forthwith for interpartes directions on 13th June 2024.
5. In the intervening period, I grant an interim injunction restraining the Respondent Hellen Adhiambo Akello and any other person from interfering with or dealing in any manner with land parcel No. Kisumu/Manyatta 'B'/735.
6. This order to be extracted and served upon the Respondent forthwith.
7. The Applicant's counsel to be notified via email forthwith.

Dated, Signed and Delivered at Kisumu this 30th Day of May, 2024

R. E. ABURILI



JUDGE

