



REPUBLIC OF KENYA



**In re Estate of Achola Jakongo (Deceased) (Miscellaneous Succession Cause 079 of 2024) [2024] KEHC 7746 (KLR) (28 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 7746 (KLR)

**REPUBLIC OF KENYA**

**IN THE HIGH COURT AT KISUMU**

**MISCELLANEOUS SUCCESSION CAUSE 079 OF 2024**

**RE ABURILI, J**

**JUNE 28, 2024**

**IN THE MATTER OF THE ESTATE OF ACHOLA JAKONGO (DECEASED)**

**AND**

**IN THE MATTER OF AN APPLICATION BY ALICE ALOO ASAWO [PETITIONER]**

**RULING**

1. The deceased Samwel Ngoro Jagongo, according to the Chief's letter dated 25<sup>th</sup> August, 2023, was a resident of East Seme Location, Seme Sub County.
2. The estate property is Kisumu/Kitmikayi/2007,2615,2616 &2183 which is within the jurisdiction of Maseno SPM's court. All the beneficiaries are known to the Chief, East Seme Location and are residents of East Seme.
3. I hereby transfer Kisumu Chief Magistrate Succession Cause No. E613 of 2023 to Maseno SPM's Court for hearing and final determination.
4. I however note that the same death certificate for the same person was used to file Succession Cause No. E444//2023 at CMs Court at Kisumu, which is also being transferred. Succession can only be done once even if there are more than one family or house. The SPM'S Court at Maseno to take note of this and ensure consolidation of the two succession Causes.
5. The original Kisumu CM Succession No. E613 of 2023 to be transmitted to Maseno SPM's court together with this ruling and order.
6. Upon receipt of the file and order, SPM Maseno Law Courts to notify the parties using the addresses given and or through the area Chief to move the court and prosecute the succession cause.
7. This file is closed.
8. I so order.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 28<sup>TH</sup> DAY OF JUNE 2024**



**R. E. ABURILI**  
**JUDGE**

