



**In re Estate of GWN (Deceased) (Succession Cause E038 of 2024)
[2024] KEHC 7829 (KLR) (26 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 7829 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
SUCCESSION CAUSE E038 OF 2024
PN GICHOHI, J
JUNE 26, 2024
IN THE MATTER OF THE ESTATE OF GWN DECEASED
AND
IN THE MATTER OF APPLICATION FOR SPECIAL LIMITED GRANT**

RULING

1. The Petitioner (inw) moved this Court by a petition dated 13th March 2024 and filed on 18th March 2024, brought under a certificate of urgency, and in his capacity as the widower of the deceased Grace Wanjiru Ndirangu who died intestate on 26th December, 2023.
2. He prays to be issued with a Special Limited Grant to enable him to access the deceased's accounts at Equity Bank, Cosmopolitan D.T. Sacco and Family Bank for "the sole purpose of paying school fees, education requirements, medical and maintenance costs of the children being M.W. N aged 14 years, M.W.N aged 18 years and W.W.N. aged 23 years.
3. He states that owing to the special circumstances and urgency of the matter, it would be impossible for him wait to petition for full grant so as to meet the said stated necessities.
4. There is a death certificate annexed but Petitioner has not availed any document to show that he was married to the deceased. He has however availed birth certificates of the three children which indicate that he is their father.
5. The letter from the Assistant Chief of Menengai Sub- location identify the Petitioner as the widower of the deceased. The said Assistant Chief also indicated that the deceased is survived by the Petitioner and the three children named herein. Further, a consent was duly filed by the Petitioner and it has been signed by the two adult children and the Petitioner in support of this Petition.
6. It has been demonstrated with annexures to the Affidavit in support of the Petition and the Supplementary Affidavit that the children are indeed pursuing education and in need of fees. The



fees structure in regard to each of the three children in their respective levels of education have been attached.

7. In the circumstances, this Court is satisfied that it is in the interest of justice that the petition be allowed in the following terms:-
 1. A special Limited Grant be and is hereby issued to Inw to access the deceased's accounts at Equity Bank, Cosmopolitan D.T. Sacco and Family Bank for the sole purpose of paying school fees , education requirements , medical and maintenance costs of the children being M.W. N, M.W.N and W.W.N.
 2. The fees should be directly paid to the accounts of respective schools/institutions attended to by each of the three children.
 3. The special limited grant does not authorise any other withdrawal of any sums of money from any other bank accounts owned by deceased or the dealing with any other property of the deceased.
 4. There are no orders as to costs.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 26TH DAY OF JUNE, 2024.

PATRICIA GICHOHI

JUDGE

