Estate Completion Account and Transmission Schedule After Prolonged Delay

Educational sample 220 | Nairobi

Educational reconstruction from a reported Kenyan judgment. This is newly drafted text, not an original court filing and not a matter handled by our team. Identifying details are replaced with bracketed fields. Verify the facts, current law, jurisdiction and court directions before signing, swearing or filing.

Reconstructed formal document

REPUBLIC OF KENYA

IN THE HIGH COURT AT NAIROBI MILIMANI FAMILY DIVISION

SUCCESSION CAUSE NO [correct reference]

IN THE ESTATE OF [DECEASED] — [APPLICANT] AND [RESPONDENT]

EVIDENCE OR COMPUTATION SCHEDULE

1. Start with the current grant, confirmation certificate and every later order. List each allocated asset, beneficiary, allocated interest and remaining registration step. For the land awaiting transmission record [title], [confirmed allocation], [registry requirement] and [person responsible], without altering the confirmed share.

2. For each step give the date required, work completed, supporting receipt or registry record, reason for delay and realistic completion date. Identify court-approved extensions separately from informal promises. Continuing trusts are marked and distinguished from administration that should already have been completed.

3. Maintain a financial account of opening assets, receipts, expenditure, liabilities paid, distributions and retained balances. Every entry has [date], [amount], [voucher], [recipient] and [authority]. The closing balance must reconcile to the bank, property and distribution records.

4. List proposed corrections separately: [description error], [additional asset], [beneficiary issue] or [change in allocation]. State the actual pending application and order required for each. A private power of attorney is not recorded as a fresh grant or as proof of authority to distribute.

5. Close with unresolved objections, missing documents, service status and a compliance report for the Court-directed mention. Confirm whether any personal costs order has been paid, keeping it separate from estate liabilities unless the Court orders otherwise. This working schedule requires genuine records and any required verifying affidavit.

DATED at [place] on [date]. Signed [party or advocate]. DRAWN AND FILED BY [name and address for service]. TO BE SERVED UPON [each affected party and address].

Use and evidence notes

This is a supporting inventory, account or completion schedule, not an originating process or independent authority to deal with an estate. Check section 83, the reporting period and specific accounting order. Reconcile genuine records, distinguish administrator acts from other acts, label unknown balances and attach the required verifying affidavit. Observe confidentiality for minors and bank or title identifiers in publication. The source permitted a compliant application; it did not approve every proposed substantive change under section 74 or immediately complete transmission. Check any later grant, order or compliance before use.

Supporting material schedule: [document date]; [author or custodian]; [description]; [bundle page]; [authenticating witness]; [admission or permission]. Attach only genuine available records and mark missing records accurately.

Source and procedural limits

A daughter sought completion and accounts after a June 2009 confirmed grant had not produced her allocated land transfer. January 2025 correspondence preceded her April application. The administrator instead filed an October rectification summons through a power-of-attorney donee; service was unproved. Proposed changes involved additional assets, a beneficiary and distribution.

The donee application was struck out. The administrator was given 30 days to present a compliant application and personally ordered to pay KSh 10,000 costs; a later compliance mention was fixed. The Court stressed the section 83(g) completion duty but its final order did not immediately transfer the land or simply grant every six-month prayer.

Appointment as personal representative cannot be passed to a donee by private power of attorney. The ruling points to section 76(d) and a fresh grant when an administrator cannot continue. Section 74 rectification has limited scope; added beneficiaries or redistributed shares need the legally appropriate process. The operative opportunity to file a compliant application is not blanket approval of all proposed changes.

[2025] KEHC 15947 (KLR) — 7 November 2025. Original judgment: https://sheriahub.com/cases/ke/caselaw/in-re-estate-of-hanniel-mburu-kimani-alias-haniel-k-mburu-alias-hannie-mburu-deceased-2025-kehc-15947-klr

The original decision may identify participants. The specimen replaces their identifying details. A source decision is not proof that a draft was filed, that an allegation succeeded, or that the same result will follow in another case.