



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

RESEAL NO 4 OF 2019

IN THE MATTER OF THE ESTATE OF STEFANO QUADRI

RULING

1. The deceased herein an Italian national died intestate on 27th May 2005 while domiciled in Italy. He was survived by a spouse by the name of Ghidotti Bruna and two daughters namely, Quadri Elizabetta and Quadri Antonietta. A declaration of succession was made by Tax office provincial Direction 11 local office Milano Gorzonzola to his daughter Elizabetta Quadri on 6th May 2016. Among the assets declared as immovable property comprising the estate is a property in Malindi to be dealt with in accordance with the Kenyan laws.

2. Consequently, Elizabetta executed a power of attorney in favour of Saleem Ghala Advocate (donee) to act on her behalf in applying for resealing of the grant in Kenya. Upon gazettelement and confirmation by the principal registrar, the court issued a resealed grant on 15th June 2021. The applicant is now seeking confirmation of the grant in respect of the Kenyan property being a lease hold cottage no 7 situate on portion number 9699(original number1863/1) Malindi and registered as CR.33260 /1 with new number given as 33260/2.

3. Mr. Ndegwa holding brief for Mr. Ghala urged the court to grant the application. Beneficiaries appeared online from Italy thus raising no objection. Pursuant to the authority conferred upon this court by Section 77 of the law of succession Act on resealing of foreign grants, I am satisfied that the application is merited and the resealed grant issued on 15th June 2021 confirmed. The estate herein in respect of the property in Kenya be shared out as per the declaration of succession in Italy.

Dated, signed and delivered virtually at Mombasa this 22nd day of March, 2022

J.N.ONYIEGO

JUDGE



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