

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA**

**(DODOMA DISTRICT REGISTRY)**

**AT DODOMA**

**PROBATE AND ADMINISTRATION CAUSE NO. 5 OF 2021**

IN THE MATTER OF THE ESTATE OF THE LATE WILLGIS OSWARD MBIRO, DECEASED  
AND

IN THE MATTER OF APPLICATION FOR LETTERS OF ADMINISTRATION WHEN  
DECEASED DIED INTESTATE, UNDER SECTION 56 OF THE PROBATE AND  
ADMINISTRATION OF ESTATES ACT [CAP 352 R.E 2002].

**ASTERIA WILLGIS MBIRO.....1<sup>ST</sup> PETITIONER**

**DOTTO HILDA WILLGIS MBIRO.....2<sup>ND</sup> PETITIONER**

**VINTAN WILLGIS MBIRO..... 3<sup>RD</sup> PETITIONER**

**RULING**

**21/03/2022**

**KAGOMBA, J**

The petitioners ASTERIA WILLGIS MBIRO, DOTTO HILDA WILLGIS MBIRO and VINTAN WILLGIS MBIRO of P. O. Box 1787, Dodoma, Petition for grant of letters of Administration of the estate of the late WILLGIS OSWARD MBIRO, who died on 24<sup>th</sup> May, 2020 at General Hospital within Dodoma City.

The petition is made Under section 56 of the Probate and administration of Estate Act, [ Cap 352 R.E 2002] (the "Act") and it is supported by the administrators bond with sureties made under section 67 of the Act, and Rule 66 of the Probate Rules 1963 (the Rules) by the petitioners themselves, affidavit as to domicile sworn by the petitioners

under Rule 64 of the Rules, certificate as to sureties financial position made under Rule 69 (Form No. 54) of the Rules, and consent as to applicants signed by JULIANA W. MBIRO and KULWA IDDA W. MBIRO made under Rule 71 (Form No. 56) of the Rules.

Attached to the petitions are also the death certificate of the late WILLGIS OSWARD MBIRO as well as minutes of the family meeting held on 2<sup>nd</sup> day of June, 2020 where the petitioners were nominated to petition for the grant of the letters of administration of the estate concerned. The list of assets of the late WILLGIS OSWARD MBIRO has been shown in the petition.

The General citation of the petition made under rules 75 and 76 of the Rules was published in Mwananchi Newspaper dated 15<sup>th</sup> day of September, 2021. By the time the petition was heard in Court, which is today the 21<sup>st</sup> day of March, 2022 nobody has appeared to contest the petitioners to be appointed the administrators of the estate of the late WILLGIS OSWARD MBIRO. So, the petitioners prayed the Court to grant their petition as their eligibility for that administrator's role has not been contested by anybody.

The petitioners also made commitment before the Court that in the event their petition was granted, they shall discharge their duties in accordance with the law.

Having found that the petition before the Court is dully filed and the eligibility of the petitioners has not been challenged as aforesaid, the petition is hereby granted accordingly. As such, the petitioners ASTERIA WILLGIS MBIRO, DOTTO HILDA WILLGIS MBIRO and VINTAN WILLGIS

MBIRO are hereby appointed the Administrators of the Estate of the Late WILLGIS OSWARD MBIRO.

The Administrators shall discharge their administrative duties in accordance their administrative duties in accordance with the Probate and Administration of Estate Act [Cap 352 R.E 2002] and the Probate Rules, 1963 by among other things, being timely in execution of their duties and filing of the inventory in this Court upon conclusion of the administration of the said estate. The petitioners shall bear their own cost with regard to the filing of the petition.

It is ordered accordingly.



  
**ABDI S. KAGOMBA**

**JUDGE**

**21/03/2022**