



**Mbugua Atudo & Macharia Advocates v Kenya Alliance Insurance Co. Ltd (Miscellaneous Application E093 of 2023) [2024] KEHC 15243 (KLR) (28 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 15243 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS APPLICATION E093 OF 2023  
RE ABURILI, J  
NOVEMBER 28, 2024**

**BETWEEN**

**MBUGUA ATUDO & MACHARIA ADVOCATES ..... APPLICANT**

**AND**

**KENYA ALLIANCE INSURANCE CO. LTD ..... RESPONDENT**

**RULING**

1. The Respondent was served with the application dated 28<sup>th</sup> May 2024 and hearing notice for today. They are absent and have not filed any response. They have also not filed any reference challenging taxation and neither is there any dispute as to retainer.
2. I enter judgment for Kshs.280,080 as taxed vide certificate of costs dated 5<sup>th</sup> April 2024 with interest at 14% p.a from 23<sup>rd</sup> November 2023, one month after taxation as the Applicant never filed evidence to warrant interest to run from 6<sup>th</sup> November 2018 as prayed.
3. Decree to issue.
4. Notice of entry of judgment and the Decree to be served upon the respondent, giving it 14 days of date of service to settle before execution process can be initiated.
5. Each party to bear their own costs of the application dated 28<sup>th</sup> May 2024.
6. Mention on 16<sup>th</sup> January 2025 before the Deputy Registrar to confirm settlement. I so order.

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

**R. E. ABURILI**

**JUDGE**

