



Mbugua Atudo & Macharia Advocates v Kenya Alliance Insurance Co Ltd (Miscellaneous Application E111 of 2022) [2024] KEHC 15338 (KLR) (28 November 2024) (Ruling)

Neutral citation: [2024] KEHC 15338 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS APPLICATION E111 OF 2022
RE ABURILI, J
NOVEMBER 28, 2024**

BETWEEN

MBUGUA ATUDO & MACHARIA ADVOCATES APPLICANT

AND

KENYA ALLIANCE INSURANCE CO LTD RESPONDENT

RULING

1. The application dated 20th March 2024 seeks for Judgment on the certificate of costs taxed on 13th April 2023. It also seeks for interest at 14% p.a from 27th September 2018.
2. There is however no justification given for interest to accrue from the date stated. The Bill of Costs dated 17th March 2022 was filed in this court on 22nd June 2022 and there is no evidence of any demand prior to the filing of the said Bill of Costs which was served on the Respondent on 26th April 2022.
3. Accordingly, as there is no reference filed on challenge to the reference, I enter Judgment for the Applicant on the taxed costs of Kshs.214,760 as per the certificate of costs dated 5th October 2023 and order that interest will accrue from 26th May, 2022, one month after service of the Bill of Costs upon the client which was on 26/4/2022. This is pursuant to Rule 7 of the [Advocates Remuneration Order](#).
4. Decree to issue and notice of entry of judgment to be served upon the Respondent giving it 14 days of date of service to settle before execution can issue.
5. I make no orders as to costs of the application dated 20th March 2024.
6. Mention before the Deputy Registrar on 16th January 2025 to confirm settlement.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 28TH DAY OF NOVEMBER, 2024

R. E. ABURILI

JUDGE

