



**Mbugua Atudo & Macharia Advocates v Kenya Alliance Insurance  
Company Limited (Miscellaneous Application E137 of 2022)  
[2024] KEHC 15222 (KLR) (28 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 15222 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS APPLICATION E137 OF 2022  
RE ABURILI, J  
NOVEMBER 28, 2024**

**BETWEEN**

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

**AND**

**KENYA ALLIANCE INSURANCE COMPANY LIMITED ..... RESPONDENT**

**RULING**

1. There is evidence of service of the hearing notice upon the Respondent in the Case tracking System.
2. There is no response filed to the application dated 2<sup>nd</sup> April 2024 seeking entry of Judgment in the sum of Kshs.189,770 as taxed on 12<sup>th</sup> October 2023.
3. I have considered the application dated 2<sup>nd</sup> April 2024, the grounds and supporting affidavit. The certificate of costs as issued on 12<sup>th</sup> October 2023 has not been challenged at all. There is no reference filed. No retainer dispute has arisen.
4. I enter Judgment for the Applicant/Advocate against the Respondent/Client herein in terms of the taxed costs of Kshs.189,770 together with interest from the date of taxation 12<sup>th</sup> November 2023 one month after taxation at 14% p.a as there is no evidence that the fee note was served one month before 17<sup>th</sup> December 2020 as stipulated in Rule 7 of the [Advocates Remuneration Order](#).
5. Decree to issue and Notice of entry of Judgment and decree to be served upon the respondent giving 14 days of date of service to settle decree before execution is levied.
6. Each party to bear their own costs of the application dated 2<sup>nd</sup> April 2024.
7. Mention on 16<sup>th</sup> January 2025 before the Deputy Registrar to confirm settlement.

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



**R. E. ABURILI**  
**JUDGE**

