



Achola Jaoko & Company Advocates v Dishon (Civil Miscellaneous Application E294 of 2022) [2023] KEHC 21452 (KLR) (Civ) (14 August 2023) (Ruling)

Neutral citation: [2023] KEHC 21452 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
CIVIL
CIVIL MISCELLANEOUS APPLICATION E294 OF 2022
AN ONGERI, J
AUGUST 14, 2023**

BETWEEN

ACHOLA JAOKO & COMPANY ADVOCATES APPLICANT

AND

LUCAS ODHIAMBO DISHON RESPONDENT

RULING

1. The application coming for consideration is the one dated February 7, 2023 seeking leave to file a reference to the taxing master's certificate of taxation issued on February 2, 2023 taxing the bill of costs dated May 19, 2023 which taxed the bill of costs at ksh 281,720/=.
2. I have considered the affidavits filed in the application together with submissions by both parties.
3. I find that it is in the interest of justice to allow the client to file the reference challenging the bill of costs.
4. There is no prejudice that the advocate will suffer that cannot be compensated by an award of costs.
5. I allow the client 30 days to file the reference together with submissions.
6. I have perused the ruling by the taxing master and it is evident that the reason the bill was allowed was that it was not opposed.
7. The advocate is also granted 30 days to file submissions upon being served with the reference and the submissions by the client.
8. This matter will be mentioned on November 1, 2023 for a ruling date.
9. The client will pay the costs of the application dated July 21, 2023.
10. Mention on November 1, 2023 for a ruling date.



**DATED, SIGNED AND DELIVERED ONLINE VIA MICROSOFT TEAMS AT NAIROBI THIS
14TH DAY OF AUGUST, 2023.**

.....

A. N. ONGERI

JUDGE

In the presence of:

..... for the Applicant

..... for the Respondent

