



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**CIVIL CASE NO. 86 OF 2018**

GITHINJI KIMAMO & CO. ADVOCATES..... APPLICANT

VERSUS

ENDMOR STEEL MILLERS LTD .....RESPONDENT

**RULING**

This is an advocate client dispute. In a case in the lower court involving the respondent and its employee, the applicant acted for the respondent until the matter was concluded. Subsequently, the applicant lodged a bill of costs against the respondent which was taxed at Kshs. 32,340/=.

There is a certificate of taxation dated 28<sup>th</sup> August, 2019. This bill has not been settled by the respondent hence the Notice of Motion dated 27<sup>th</sup> September and filed on 2<sup>nd</sup> October, 2019 seeking the order that judgment be entered in favour of the applicant against the respondent plus costs and interest.

The application is supported by grounds set out the face thereof alongside the affidavit of Hiram Thimba Advocate. The respondent opposed the application and filed grounds of opposition. The record shows that parties were inclined to settle the matter but having failed, the court has to make a decision.

The Certificate of Taxation has not been set aside or altered by way of any reference or review. The applicant is entitled to interest from the date the bill of costs was taxed.

The resistance of the order sought by the applicant finds no ground both in law and facts deponed in the affidavit in support of the Motion.

I am satisfied that the application is merited and accordingly allow the same as drawn.

***Dated, signed and delivered at Nairobi this 24<sup>rd</sup> Day of March, 2021.***

**A. MBOGHOLI MSAGHA**

**JUDGE**