



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

COMMERCIAL AND TAX DIVISION

MISCELLANEOUS APPLICATION NO. E926 OF 2020

ONG'ANDA & ASSOCIATES ADVOCATESAPPLICANT

VERSUS

TRIDENT INSURANCE COMPANY LIMITED.....RESPONDENT

RULING

1. This ruling is in respect to the application dated 11th December 2020 wherein the Advocate/applicant seeks the following orders: -

a) That this honourable court be pleased to enter judgment for the amount of Kenya shillings Seven Hundred and Seventy-Four Thousand Eight Hundred and Fifty-Two shillings and fifty-one cents (Kshs 774,852.51) in terms of the Certificate of Taxation dated 27th November 2020.

b) That upon entry of prayer (a) a decree be issued for enforcement/execution.

c) That the respondent bear the costs of this application.

2. The application is supported by the affidavit of the applicant's advocate **Mr. Mukami Mwigire** and is premised in the grounds that: -

a) That the applicant filed an advocate-client bill of costs dated 7th August 2020.

b) That the bill of costs was taxed on the 2nd of November 2020 at Seven Hundred and Seventy-Four Thousand Eight Hundred and Fifty-Two shillings and fifty-one cents (Kshs 774,852.51) in favour of the applicant.

c) That the certificate of taxation was never settled by the respondent.

3. The respondent did not oppose the application despite proper service and when the matter came up for hearing on 11th March 2021, Mr. Mukami advocate for the applicant urged this court to allow the application as prayed.

4. I have perused the affidavit of service dated 3rd March 2021 and I am satisfied that the applicant was duly served with the hearing notice for 11th March 2021.

5. I have also perused the application together with the supporting affidavit and annexures. I am satisfied that the application is merited and I therefore allow it as prayed.

Dated, signed and delivered via Microsoft Teams at Nairobi this 18th day of March 2021 in view of the declaration of measures restricting court operations due to Covid -19 pandemic and in light of the directions issued by his Lordship, the Chief Justice on the 17th April 2020.

W. A. OKWANY

JUDGE

In the presence of:

Miss Mukami for Onganda for applicant.

No appearance for respondent.

Court Assistant: Sylvia.