

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAIVASHA

MISCELLANEOUS CIVIL APPLICATION NO. E004 OF 2020

MAGATTA & ASSOCIATES.....APPLICANT

-VERSUS-

TRIDENT INSURANCE COMPANY LIMITED.....RESPONDENT

RULING

1. By way of a Notice of Motion dated 18th November, 2021, the Applicant which is a practicing law firm prays that judgment be entered in favour of the Advocates (Applicant) against the client (Respondent) for the sum of Kshs 106,752/= and that the costs of the application be borne by the client.
2. The application is brought under **Section 51 (1) and (2)** of the **Advocate's Act** Cap 16 Laws of Kenya and all other enabling provisions of the law.
3. The application is supported by the grounds on the face of it and the Affidavit of Owen Magata Advocate of the Applicant's law firm sworn on 19th August, 2021. In summary, the Respondent was a client of the Applicant in Naivasha CMCC No. 317 of 2015. A Client/Advocate Bill of Costs was taxed at Kshs 106,752/= as per the Hon. Deputy Registrar's Ruling dated 5th August, 2021. Pursuant thereto, a Certificate of Taxation dated 17th August, 2021 was drawn.
4. The Respondent was served through its legal officer to come for the hearing of the application but failed to. In the circumstances, I have deemed the application herein as unopposed. Accordingly, the same is allowed with costs to the Applicant.

Dated and Delivered this 25th Day of November, 2021.

G. W. NGENYE-MACHARIA

JUDGE

In the presence of:

1. *Magata for the Applicant*
2. *N/A for the Respondent*