



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAKURU

MISC.APPL NO. 32 OF 2019

KINYANJUI NJUGUNA & CO. ADVOCATES.....DECREE/ HOLDER

VERSUS

INVESCO INSURANCE CO.LTD.....JUDGMENT/ DEBTOR

AND

JAMII BORA BANK.....GARNISHEE

RULING

1. This is a ruling on application dated 25th October 2019. It seeks: -

a. Prayer 1 & 2 spent.

b. Judgment for kshs 1,119,900 made up as follows: -

- i. Nakuru Misc. Application no.20 of 2019.... kshs 77,850**
- ii. Nakuru Misc. Application no.22 of 2019.... kshs 121,885**
- iii. Nakuru Misc. Application no.25 of 2019.... kshs 139,150**
- iv. Nakuru Misc. Application no.26 of 2019.... kshs 197,150**
- v. Nakuru Misc. Application no.32 of 2019.... kshs 152,015**
- vi. Nakuru Misc. Application no.124 of 2019.... kshs 118,200**
- vii. Nakuru Misc. Application no.127 of 2019.... kshs 163,625**
- viii. Nakuru Misc. Application no.129 of 2019.... kshs 150,025**

c. That interest be provided at 14 %.

d. That costs of the application be provided.

2. The application is supported by affidavit sworn by **Kinyanjui Theuri** sworn on 25th October 2019. He averred that the applicant's bill of costs has been taxed and that the respondent never filed response to the said bill of costs and certificate of costs have since been drawn, signed and issued.

3. The applicant averred that the respondent has neglected and/or failed to pay legal fees despite demand and notice being issued.

4. Further that the Advocate is legally entitled to fees and the respondent does not dispute the fees, that if the Court fails to grant orders sought, the applicant is likely to suffer gross prejudice as the financial liquidity of the respondent is in question.

5. The respondent failed to file response to this application. Prayer 2 seeking to consolidate the above 8 files was allowed on 29th January 2020.

6. I have perused the certificates attached to the supporting affidavits and confirm that certification of taxation was issued in respect of the above files. I also note that the respondent was served with the bill of costs on 24th April 2019. I have no reason not to enter judgment for certified costs as prayed. I therefore enter judgment for taxed costs in all the 8 consolidated files.

7. FINAL ORDER

1. Judgment is entered for the applicants against the respondent for a sum of kshs 1,119,900.
2. Interest at court's rate of 14 days to be calculated from 30 days after 24th April 2019.
3. Costs of this application to the applicants.

Ruling dated, signed and delivered via zoom at Nakuru This 17th day of December, 2020

.....

RACHEL NGETICH

JUDGE

In the presence of:

Jennifer - Court Assistant

Ms. Odhiambo counsel for the Applicants

No appearance for the Respondents