



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

COMMERCIAL AND TAX DIVISION

MISCELLANEOUS CIVIL APPLICATION NO.256 OF 2019

EDDY NICHOLAS O. ORINDA T/A

ONE AND ASSOCIATES LLP.....APPLICANT/ADVOCATE

-VERSUS-

HIGHGROVE HOLDINGS LIMITEDRESPONDENT/CLIENT

RULING

1. This ruling is in respect to the application dated 27th July 2020 wherein the Advocate/Applicant seeks orders as follows: -

1. That judgment and decree be and is hereby entered and issued on behalf of the applicant against the respondent for Kshs 40,460,318/- on account of taxed advocate –client legal costs.

2. That interest and costs of this application and of execution be to the applicant.

2. The application is supported by the advocate’s affidavit and is premised on the grounds that: -

1. That the applicant has taxed his advocate-client bill of costs and has been awarded the amount the subject hereto and certificate of taxation issued thereafter.

2. That retainer was never disputed during the taxing of the costs, or at all.

3. That demand and notice of execution has been made but without success.

3. The Respondent did not oppose the application despite proper service with the same as shown in the affidavit of service dated 14th December 2020.

4. Consequently, I allow the application dated 27th July 2020 as prayed.

Dated, signed and delivered via Microsoft Teams at Nairobi this 16th day of December 2020 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:

Mr. Orinda for the applicant.

No appearance for the respondent.

Court Assistant: Sylvia