



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAIROBI**

**JUDICIAL REVIEW DIVISION**

**MISCELLANEOUS CIVIL APPLICATION NO. 136 OF 2016**

**IN THE MATTER OF LEGAL COSTS OWED BY THE ATTORNEY GENERAL TO  
NJOROGE REGERU & COMPANY ADVOCATES FOR PROFESSIONAL SERVICES  
RENDERED IN NAIROBI HIGH COURT PETITION NUMBER 518 AND NAIROBI HIGH  
COURT PETITION NUMBER 594 OF 2013**

**AND**

**IN THE MATTER OF AN APPLICATION BY NJOROGE REGERU & COMPANY  
ADVOCATES FOR LEAVE TO INSTITUTE JUDICIAL REVIEW PROCEEDINGS FOR AN  
ORDER OF MANDAMUS**

**BETWEEN**

**REPUBLIC.....APPLICANT**

**AND**

**THE ATTORNEY GENERAL .....RESPONDENT**

**NJOROGE REGERU**

**&COMPANY ADVOCATES.....EXPARTE APPLICANT**

**JUDGMENT**

1. The Exparte applicant's notice of motion dated 10<sup>th</sup> May 2016 seeks for Judicial Review Order of Mandamus to compel the respondent Attorney General to settle the advocate/client bill of costs as taxed by the Deputy Registrar and as per the Certificate of Order against the Government on 4<sup>th</sup> March 2016.
2. The sum claimed is in respect of the taxation of agreed sum of kshs 6,500,000 in Nairobi High Court Petition No. 518/2013 and Nairobi 594/2013.
3. The application is supported by grounds that despite the taxation by consent, the respondent has not settled the sums due amounting to kshs 6,500,000 for the last over 17 months.

4. The application is unopposed.

5. I have carefully considered the notice of motion, the grounds and supporting affidavit together with annexures. I am satisfied that the applicant has made out a case for issue of Judicial Review order of Mandamus and accordingly, I hereby issue Judicial Review order of Mandamus compelling the Attorney General to pay to the applicant a sum of kshs 6,500,00 as agreed and taxed advocate/client costs for professional services rendered in Nairobi HC Petition No 518/2013 and Petition No Nairobi 594/2013.

6. The said sums shall be paid within 90 days from the date of this Order of Mandamus. In default, the applicant is at liberty to apply for contempt of court against the Accounting Officer responsible for settlement in execution of these Judicial Review proceedings. The applicant shall also have costs of these Judicial Review proceedings.

7. Order accordingly.

Dated, signed and delivered at Nairobi this 19th day of September 2016.

**R.E. ABURILI**

**JUDGE**