



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**COMMERCIAL & ADMIRALTY DIVISION**  
**MISC. NO. 476 OF 2014**  
**IN THE MATTER OF THE ADVOCATES REMUNERATION ORDER**

**AND**

**IN THE MATTER OF ADVOCATE-CLIENT BILL OF COST**

**BETWEEN**

**WAFULA SIMIYU & COMPANY ADVOCATES.....ADVOCATE**

**Versus**

**ANNE NJERI MWANGI.....CLIENT**

**(Arising from Milimani HCCC NO.507/2012)**

**BETWEEN**

**ANNE NJERI MWANGI.....PLAINTIFF**

**VERSUS**

**COOPERATIVE BANK OF KENYA LIMITED.....DEFENDANT**

**RULING**

By motion dated 22.6.2015 the Applicant seeks the Deputy Registrars Certificate of Costs dated 19.6.2015 to be converted into a decree of the court.

The application is anchored on the provisions of Section 51 of the Advocates Act Cap 16 Laws of Kenya. The same motion is predicated on the grounds that the costs were taxed by the Deputy Registrar on 30.9.2014 to Kshs.1,815, 569 and a certificate thereof issued dated 19.6.2015.

The taxation order aforesaid, has not been impugned either via a reference or otherwise. The taxed amount has not been paid. The application is supported by the Affidavit of JIMMY WAFULA SIMIYU sworn on 22.6.2015. The said Affidavit literates the contents of the grounds set out on the foot of the motion.

The Respondent was served with the instant application, but has opted not to oppose the same. The court

has no reason to deny the applicant his entitlement by forestalling the wheels of justice from grinding and or twining in favour of the Applicant.

The court thus makes the following orders:-

1. Prayer 1 of the motion dated 22.6.2015 is granted as prayed.
2. There will be no orders to costs since the motion is not opposed.

**Dated, signed and delivered in court at Nairobi this 18<sup>th</sup> day of September, 2015.**

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**C. KARIUKI**

**JUDGE**