



**REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA  
AT NAIROBI (MILIMANI COMMERCIAL COURTS)**

**Misc Appli 998 of 2005**

**KAMUNYORI & COMPANY ADVOCATES .....APPLICANT**

**VERSUS**

**CANNON ASSURANCE (K) LIMITED.....RESPONDENT**

**R U L I N G**

The applicant with the bill of costs had his bill taxed on 23<sup>rd</sup> February 2006 at the amount of kshs 234, 792/-. A certificate of costs was issued, thereof, on 24<sup>th</sup> March 2006. That certificate of costs has not been altered varied or set aside to date.

The applicant has moved this court by a Notice of Motion seeking judgment on the taxed amount under Section 51 (2) of the Advocates Act. The applicant stated that since retainer has not been disputed by the Respondent, the applicant was entitled to judgment as prayed.

I have considered the applicant's application and the submissions of counsel in support and I do hereby find that the application is merited.

I accordingly grant the following orders: -

- (1) That judgment be and is hereby entered for kshs 234, 792 with interest at the rate of 9% per annum from the 28<sup>th</sup> April 2006 until payment in full.**
- (2) The applicant is awarded costs of the Notice of Motion dated 28<sup>th</sup> April 2006.**

**MARY  
JUDGE**

**KASANGO**

**Dated and delivered this 13<sup>th</sup> day of June 2006.**

**MARY KASANGO**

JUDGE