



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

Misc Appli 78 of 2006

KAMUNYORI & COMPANY ADVOCATES
.....APPLICANT

VERSUS

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

R U L I N G

The applicant by its Notice of Motion dated 24th May 2006 seeks for judgment for taxed amount plus 9% interest.

The applicant has come under section 51 (2) of the Advocates Act.

The application is based on the grounds that;

- the bill of costs herein was on 28th March 2006 taxed by the Deputy Registrar in the sum of kshs 54, 891 in favour of the applicant;
- that the certificate of taxation was issued on 10th April 2006;
- the said certificate of taxation has not been altered or varied or set aside by the court since the date of issue;
- the retainer is not disputed;
- despite the applicant's demand the respondent had failed, refused or ignored to pay the taxed amount.

The court having considered the arguments raised on behalf of the applicant and having considered the application is of the view that the order sought are merited.

Accordingly the court grants the following orders: -

- (1) That judgment is hereby entered for the applicant was against the respondent for the sum of kshs 54, 891/-.**
- (2) That the respondent is hereby ordered to pay the applicant an additional 9% interest on the**

amount of kshs 54, 891/- which interest shall apply from 13th May 2006 until payment in full.

(3) The applicant is granted leave to execute for the judgment entered herein.

(4) That the applicant is granted costs of the Notice of Motion dated 24th May 2006.

MARY KASANGO

JUDGE

Dated and delivered this 31st July 2006.

MARY KASANGO

JUDGE