



REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA AT NAIROBI  
MILIMANI COMMERCIAL COURTS  
CIVIL CASE NO. 219 OF 2000

**HASSAN JUMA OLE NGAISARI ..... PLAINTIFF**  
**VERSUS**  
**PATRICK NJENGA MUCHIRU**  
**T/A NJENGA MUCHIRU & CO. ADVOCATES ..... DEFENDANT**

JUDGMENT

This is a claim for Shs.309,756/= against Mr. Patrick Njenga Muchiru, an advocate of this court, who received the money in his capacity as the plaintiff's advocate pursuant to an order made in Nairobi C.M.C.C. No. 4206 of 1994. Although a defence has been put forward on behalf of Mr. Muchiru, having regard to the evidence tendered by the plaintiff, which said evidence has not been challenged, the purported defence is a sham calculated only to delay the recovery of the sums due. In my view, the defendant is truly and justly indebted to the plaintiff in the sum claimed. Accordingly, judgment is entered in favour of the plaintiff against the defendant for Shs.309,756/= together with interest thereon at court rates from the date the defendant received the money which is 5.10.1999 until payment in full. The defendant will bear the plaintiff's costs of this suit.

**Dated at Nairobi this 24th day of May, 2001.**

T. MBALUTO  
JUDGE