



Mereka & Company Advocates v Nicola Farm Limited (Environment & Land Miscellaneous Case E031 of 2022) [2025] KEELC 4873 (KLR) (1 July 2025) (Ruling)

Neutral citation: [2025] KEELC 4873 (KLR)

REPUBLIC OF KENYA

**IN THE ENVIRONMENT AND LAND COURT AT MURANGA
ENVIRONMENT & LAND MISCELLANEOUS CASE E031 OF 2022**

MN GICHERU, J

JULY 1, 2025

IN THE MATTER OF THE ADVOCATES ACT CAP 16 (LAWS OF KENYA)

AND

NICOLA FARM LIMITED.....CLIENT/RESPONDENT

AND

IN THE MATTER OF COSTS

BETWEEN

MEREKA & COMPANY ADVOCATES APPLICANT

AND

NICOLA FARM LIMITED RESPONDENT

(ARISING FROM ARBITRATION BETWEEN NICOLA FARM LIMITED VS SUMMER MEADOWS LTD)

RULING

1. This ruling is on the notice of motion dated 15-4-2024. The motion which is by the Applicant seeks three(3) orders.
 1. That the Court be pleased to enter Judgment for the amount of Kshs. 6,839,700/= in terms of the certificate of taxation dated 4-4-2024 together with interest at 14% from the said date.
 2. That pursuant to the judgment, a decree be issued for enforcement/execution.
 3. That the costs of this application be in the cause.
2. The motion is based on five(5) grounds and is supported by an affidavit of the Applicant dated 15-4-2024. In summary the Applicant states as follows. Firstly, the Applicant filed a bill of costs dated



3-11-2022 seeking Kshs. 43,197,000/= as costs. Secondly, on 24-1-2024, the bill of costs was taxed at Kshs. 6,839,700/= by the Deputy Registrar in favour of the Applicant. Thirdly, there was no stay granted and the Respondent has not filed a reference. Fourthly, the certificate of costs dated 4-4-2024 has not been set aside and or reviewed. Finally, the Respondent has failed and or neglected to pay the said costs despite repeated reminders. For the above stated reasons, the Applicant pray for the orders as above.

3. Even though the Respondent's Counsel had committed, on 26-5-2025, to file written submissions within 14 days, no submissions have been filed by 27-6-2025.
4. Having considered the Motion dated April 15, 2024 in its entirety and finding that it is fair, just and unopposed, I find that it has merit and I allow it as drawn.

It is so ordered.

DATED, SIGNED AND DELIVERED VIRTUALLY AT MURANG'A THIS 1ST DAY OF JULY, 2025.

M.N. GICHERU

JUDGE.

Delivered online in the presence of; -

Court Assistant – Mwangi Njonjo

Applicant's Counsel – Miss Wambui h/b

Respondent's Counsel – Mr Musumba

