



**Odhambo Owiti & Company Advocates v UAP Insurance Company Limited (Miscellaneous Civil Application E013 of 2021) [2025] KEHC 8003 (KLR) (9 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 8003 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT BUSIA  
MISCELLANEOUS CIVIL APPLICATION E013 OF 2021  
WM MUSYOKA, J  
JUNE 9, 2025**

**BETWEEN**

**ODHIAMBO OWITI & COMPANY ADVOCATES ..... APPLICANT**

**AND**

**UAP INSURANCE COMPANY LIMITED ..... RESPONDENT**

**RULING**

1. On 12<sup>th</sup> February 2025, the parties compromised an application dated 24<sup>th</sup> July 2024, except on costs.
2. That application sought that a certificate of costs, dated 12<sup>th</sup> June 2023, for Kshs. 165,532.80, be adopted as the judgement and decree of the court, with interest thereon at 14% per annum with effect from 17<sup>th</sup> September 2020.
3. In response, it was pointed out that the costs had been settled, paid in two tranches of Kshs. 141,375.00 on 10<sup>th</sup> June 2022 and Kshs. 24,157.00 on 27<sup>th</sup> June 2023. It was argued that the taxed costs had been fully settled by the date the application, dated 24<sup>th</sup> July 2024, was filed.
4. The applicant indicated, on 12<sup>th</sup> February 2025, that they would file written submissions. On 12<sup>th</sup> March 2025, it was indicated that they had not, but the respondent had already filed submissions. On 7<sup>th</sup> May 2025, the applicant indicated they would not be filing submissions.
5. The fact that the applicants have been flip-flopping, between filing and not filing submissions, would suggest that they have abandoned their quest for interests. In any event, the costs had been paid fully, by the time the Motion, dated 24<sup>th</sup> July 2024, was filed in court on 29<sup>th</sup> July 2024.
6. I shall dismiss the quest for interests on costs, as I hereby do. The file herein shall be closed.

**DELIVERED, VIA EMAIL, DATED AND SIGNED IN CHAMBERS, AT BUSIA, ON THIS 9<sup>TH</sup> DAY OF JUNE 2025.**



**WM MUSYOKA**

**JUDGE**

Mr. Arthur Etyang, Court Assistant.

Advocates

Ms. Jael Onyango, instructed by Owiti Otieno & Ragot, Advocates for the applicant.

Mr. Karanja, instructed by G&G Advocates LLP, Advocates for the respondent.

