



Trident Insurance Company Limited v County Government of West Pokot & 3 others (Civil Case E002 of 2025) [2025] KEHC 9939 (KLR) (10 July 2025) (Ruling)

Neutral citation: [2025] KEHC 9939 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAPENGURIA
CIVIL CASE E002 OF 2025
RPV WENDOH, J
JULY 10, 2025**

BETWEEN

TRIDENT INSURANCE COMPANY LIMITED PLAINTIFF

AND

COUNTY GOVERNMENT OF WEST POKOT 1ST DEFENDANT

PUBLIC SERVICE BOARD WEST POKOT COUNTY 2ND DEFENDANT

COUNTY SECRETARY COUNTY GOVERNMENT OF WEST POKOT 3RD DEFENDANT

CHIEF OFFICER DEPARTMENT OF PUBLIC SERVICE COUNTY GOVERNMENT OF WEST POKOT 4TH DEFENDANT

RULING

1. Before me is the chamber summons dated 4/6/2025 in which the applicant, Trident Insurance Company Limited seeks that leave be granted to enter Judgment in default of appearance against the County Government of West Pokot, County Public Service Board West Pokot County; County Secretary County Government of West Pokot and Chief Officer Department of Public Service County Government of West Pokot (the 1,2,3 and 4th Defendant/ Respondents).
2. The grounds upon which the application is made are that the plaintiff filed this suit on 2/5/2025 seeking payment of outstanding contractual sum of Kshs.29,733,957/= interest and costs against the defendant/Respondents for nonpayment of comprehensive medical cover for their staff; that the defendants were served with summons to enter appearance, plaint, verifying affidavit and list of documents which they received; that despite service of summons; the Respondent has neither entered appearance nor filed defence, and have failed to pay the sums demanded.



3. The application was supported by the Affidavit of Diamond Hasham Lalji Nurani, a director of the plaintiff/applicant. He reiterated the grounds upon which the application is premised;
4. Though the Respondents had not entered appearance, Ms. Cheruto, Counsel for the Respondents, appeared in court for the Respondent's and acknowledged that the sum of Kshs.29,733,957/= is owed by the Respondent to the applicant but that they are unable to pay immediately and they seek time to pay it latest by end of October, 2025 in this new financial year 2025/2026; that they have been unable to settle the whole sum because of budgetary constraints.
5. Mr. Langat Counsel for the applicants opposed the adjournment and urged that the application be granted because the Respondent made part payment but neglected to pay the balance and that the orders may be granted and execution process to follow.
6. I have considered the application and confirm that the Respondents were duly served with the application on 30/6/2025 in terms of the Affidavit of Service dated 1/7/2025. Ms. Cheruto, Counsel for the Respondent has come to court in response to the said service.
7. No appearance or defence have been filed and the Respondent prays for time to pay the claimed sum. I find that the applicant is deserving of the orders sought in the Chamber Summons dated 4/6/2025 and I grant leave to enter judgment as prayed, with costs to the applicant.

DATED, SIGNED AND DELIVERED ON 10TH DAY OF JULY, 2025

HON. R. WENDOH

JUDGE

Ruling delivered virtually in presence of; -

Applicant – Mr. Langat and Mr. Kipkorir

Respondent – Ms. Cheruto

Juma/Hellen- Court Assistants

