



**Mucheru Law LLP Advocates v Cementers Limited (Miscellaneous Application E1058 of 2023)
[2024] KEHC 100 (KLR) (Commercial & Admiralty) (17 January 2024) (Ruling)**

Neutral citation: [2024] KEHC 100 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI COMMERCIAL COURTS)
COMMERCIAL AND ADMIRALTY
MISCELLANEOUS APPLICATION E1058 OF 2023**

**A MABEYA, J
JANUARY 17, 2024**

BETWEEN

MUCHERU LAW LLP ADVOCATES ADVOCATE

AND

CEMENTERS LIMITED CLIENT

RULING

1. By a Motion on Notice dated 14/12/2023, brought under section 51 (2) of the *Advocates Act*, the advocate has sought judgment for Kshs. 105,152/= against the defendant. The same is supported by the affidavit of Scott Sala sworn on 14/12/2023.
2. The Motion is predicated upon the grounds that the advocates bill of costs dated 25/11/2022 was taxed on 24/10/2023 at Kshs. 105,152/=. That a Certificate of Costs for the said amount was issued on 17/11/2023 and the same had not been stayed nor set aside. That in the premises, judgment should be entered in terms of the Certificate of Costs. Both the Bill of Costs dated 25/11/2022 and the Certificate of Costs were exhibited.
3. The application was unopposed although served upon the respondent in terms of the affidavit of service of Scott Sala sworn on 19/12/2023.
4. I have seen the Advocates bill of costs dated 25/11/2022. I have seen the Certificate of Costs dated 17/11/2023. The bill of Costs having been taxed at kshs. 105,152/= and the Certificate thereof not having been set aside or stayed, I allow the application as prayed.
5. Accordingly, Judgment is entered for the applicant against the respondent for Kshs. 105,152/= as prayed together with Costs.

Orders accordingly.



DATED AND DELIVERED AT NAIROBI THIS 17TH DAY OF JANUARY, 2024.

A. MABEYA, FCI Arb, EBS

JUDGE

