



Mitare t/a Miyare & Co Advocates v Gatungo & 2 others (Miscellaneous Cause 94 of 2017) [2024] KEHC 2482 (KLR) (Family) (7 March 2024) (Ruling)

Neutral citation: [2024] KEHC 2482 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
MISCELLANEOUS CAUSE 94 OF 2017
HK CHEMITEI, J
MARCH 7, 2024**

BETWEEN

GEORGE MITARE T/A MIYARE & CO ADVOCATES APPLICANT

AND

AIKA NYANGARA GATUNGO 1ST RESPONDENT

LISSA WANGU GATUNGO 2ND RESPONDENT

SUSAN WANJIRU GATUNGO 3RD RESPONDENT

RULING

1. The Notice of Motion application herein by the applicant dated 23rd August 2021 seeks for orders that “the court be pleased to enter judgement for the advocate /applicant against the clients/respondents in the sum of kshs1,583,692 as it appears in the certificate of taxation dated 20th August 2021 together with interest at 14% per annum from 25th July 2021 until payment in full.”
2. The application is not opposed and it is based on the sworn affidavit of Esther Mwikali advocate dated 23rd August 2021.
3. From the annexures to the affidavit, the certificate of costs dated 20th August 2021 by the Deputy Registrar clearly showed that there was a client /advocate relationship between the parties. The same seemed to have ran into headwinds on the issue of fees and the applicant filed their bill.
4. The taxation was done by the taxing master and the certificate mentioned above has not been set aside or varied. It is still valid.
5. In the absence of any opposition to the application the same is hereby allowed as prayed with costs to the applicant.



DATED SIGNED AND DELIVERED AT NAIROBI VIA VIDEO LINK THIS 7TH DAY OF MARCH 2024.

H K CHEMITEI.

JUDGE

