



**Geoffrey Yogo & Erick Ojuro t/a Otieno, Yogo, Ojuro & Co. Advocates v Dominion Farms Limited
(Miscellaneous Civil Application E025 of 2022) [2024] KEHC 4789 (KLR) (9 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 4789 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CIVIL APPLICATION E025 OF 2022**

RE ABURILI, J

MAY 9, 2024

BETWEEN

**GEOFFREY YOGO & ERICK OJURO T/A OTIENO, YOGO, OJURO & CO.
ADVOCATES APPLICANT**

AND

DOMINION FARMS LIMITED RESPONDENT

*(Arising from the professional legal services rendered by the Applicant/
Advocate to the Respondent/client in Dominion Farms vs Ongogo)*

RULING

1. I have examined the Certificate of Taxation dated 9th December 2022 and compared it with the Bill of Costs dated 17th December 2021.
2. I find no basis upon which the taxation was done for the following reasons:-
 1. There is no case number and full names of the parties in which the advocate acted for the client.
 2. There is no evidence of retainer.
 3. There is no evidence of the nature of the cause of action upon which Kshs.120,000 was drawn and awarded as instruction fees.
3. On the whole, there is no evidence of services rendered. I find the taxation to have been mechanical and unsupported.
4. I set aside the taxation and the certificate of costs dated 9th December, 2022 and remit the Bill of Costs to the Deputy Registrar for taxation afresh, interpartes upon satisfying herself that the Respondent is duly served with the Notice of Taxation and to take into account the reasons herein advanced for rejection of the certificate of costs. Mention on 20th June 2024 before the Deputy Registrar.



5. I make no orders as to costs.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 9TH DAY OF MAY, 2024

R. E. ABURILI

JUDGE

