



Odhiambo Owiti & Co. Advocates v Kenya Orient Insurance Limited (Miscellaneous Civil Application 185 of 2020) [2024] KEHC 5123 (KLR) (6 May 2024) (Ruling)

Neutral citation: [2024] KEHC 5123 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CIVIL APPLICATION 185 OF 2020
RE ABURILI, J
MAY 6, 2024**

BETWEEN

ODHIAMBO OWITI & CO. ADVOCATES APPLICANT

AND

KENYA ORIENT INSURANCE LIMITED RESPONDENT

(Arising from the professional services rendered by the Applicant for the Respondent in the original Bungoma CMCC No. 101 of 2011)

RULING

1. This matter was erroneously filed in this Court. The primary suit in which the advocate represented the client giving rise to Advocate Client Bill of Costs is Bungoma CMCC No. 101 of 2011.
2. It follows that the Bill of Costs by the advocate ought to have been filed at Bungoma High Court and not Kisumu High Court.
3. The Applicant/Advocate already sought and obtained leave to amend the application for taxation of the bill of costs to include the matter before Bungoma Chief Magistrate's Court.
4. Directions were given by Deputy Registrar on 4th February 2021 to place the file before Hon. Ochieng J but no orders were made for transfer.
5. In the premises, I hereby direct that this file and matter is hereby transferred to Bungoma High Court for hearing and final determination.
6. Parties counsel to be notified forthwith.
7. From this end, this file is closed.
8. Ruling to be typed.



9. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 6TH DAY OF MAY, 2024

R. E. ABURILI

JUDGE

