



**Otieno, Yogo, Ojuro & Company Advocates v Apodo (Miscellaneous Civil Application 89 of 2018) [2024] KEHC 16876 (KLR) (23 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 16876 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
MISCELLANEOUS CIVIL APPLICATION 89 OF 2018  
RE ABURILI, J  
SEPTEMBER 23, 2024**

**BETWEEN**

**OTIENO, YOGO, OJURO & COMPANY ADVOCATES ..... APPLICANT**

**AND**

**JOHN KEEN APODO ..... RESPONDENT**

**RULING**

1. The application dated 10<sup>th</sup> June 2024 seeks that the certificate of costs dated 13<sup>th</sup> March 2023 be converted into Judgment of the court as a decree to issue for Kshs.100,910 plus 14% p.a interest from 19<sup>th</sup> February 2024.
2. The taxation was in respect of advocate client bill of costs dated 18<sup>th</sup> May 2018, for a conveyance transaction conducted by the advocate for the client securing a charge over title No. Suna East/Wasweta/16919.
3. The Respondent never appeared. Taxation was done on 19<sup>th</sup> February 2024. The application is brought under Section 51(2) of the Advocates Act.
4. There is an affidavit of service on record which shows that the Respondent was served with the application dated 10<sup>th</sup> June 2024. There is no opposition filed and the Respondent has not filed any reference to challenge the certificate of costs.
5. In the premises, I hereby allow the application dated 10<sup>th</sup> June 2024. The certificate of costs dated 13<sup>th</sup> March 2023 is hereby converted into judgment of the court for the advocate in the taxed sum of Kshs.100,910 and decree to issue.
6. The taxed costs shall earn interest at 14% p.a from 19<sup>th</sup> February 2024 the date of taxation.
7. I make no orders as to costs of the application.



8. The applicant to serve the Respondent with this Ruling, giving him notice of 14 days to settle the decree before applying for execution of the same.
9. Mention before the Deputy Registrar on 14<sup>th</sup> October 2024.
10. I so order.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 23RD DAY OF SEPTEMBER, 2024**

**R. E. ABURILI**

**JUDGE**

