



**Equity Bank Kenya Ltd v Okello (Civil Appeal 11 of 2019)
[2023] KEHC 17259 (KLR) (8 May 2023) (Ruling)**

Neutral citation: [2023] KEHC 17259 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CIVIL APPEAL 11 OF 2019
RE ABURILI, J
MAY 8, 2023**

BETWEEN

EQUITY BANK KENYA LTD APPELLANT

AND

ROMANUS OKELLO RESPONDENT

RULING

1. On January 26, 2022, this court delivered judgement allowing the appeal herein filed on February 1, 2019 with an order that each party bear their own costs of the appeal and of the lower court in Kisumu CMCC No 230 of 2008.
2. As the Appellant had deposited security for the due performance of decree, it has applied for release of the said security Kshs 1,290,000/= which is held in the joint names of the Appellant and Respondent's counsel's account with Equity Bank (K) Ltd, Kisii Branch Account No 0510279xxxxxx.
3. There is no opposition to the application dated March 28, 2021 which has been pending for 2 years. The application is supported by the affidavit sworn by Kingori Kariuki, the legal services Manager for Equity Bank (K) Ltd.
4. Accordingly, I hereby allow the application dated March 28, 2022 and order that the sum of Kshs 1,290,000/= held in the joint account of Morara Apiemi & Nangito Advocates and Odumba Okello & Associates Advocates at Equity Bank (K) Ltd Kisii Branch Account Number 0510279241415 shall forthwith be released and paid to the Appellant Equity Bank (K) Ltd through the Appellant's Advocate's Bank account with Equity Bank (K) Ltd, Moi Avenue Branch, Account No 04702979xxxxxx.
5. I so order.
6. This file is now closed.



DATED, SIGNED AND DELIVERED AT KISUMU THIS 8TH DAY OF MAY, 2023

R. E. ABURILI

JUDGE

