



**Nyang'au v Muthoka (Civil Miscellaneous Application E355 of 2022)
[2023] KEHC 20288 (KLR) (Civ) (10 July 2023) (Ruling)**

Neutral citation: [2023] KEHC 20288 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

CIVIL

CIVIL MISCELLANEOUS APPLICATION E355 OF 2022

AN ONGERI, J

JULY 10, 2023

BETWEEN

WILFRED NYACHOTI NYANG'AU APPELLANT

AND

BENSON SYENGO MUTHOKA RESPONDENT

RULING

1. The sole issue for determination in this ruling is the respondent's costs for the application seeking leave to appeal out of time.
2. The appeal was compromised by the parties and the only outstanding issue was costs of the respondent for the said application.
3. The respondent is seeking or kshs 120,000/= for the said application.
4. The appellant did not make any offer.
5. The costs are assessed at ksh 40,000/=. The appellant is granted stay of execution of 30 days to process the payment.

**DATED, SIGNED AND DELIVERED ONLINE VIA MICROSOFT TEAMS AT NAIROBI THIS
10TH DAY OF JULY, 2023.**

.....

A. N. ONGERI

JUDGE

In the presence of:



..... for the Appellant

..... for the Respondent

