



Mbugua, Atudo and Macharia Advocates v Kenya Alliance Insurance Co Ltd (Miscellaneous Civil Case E022 of 2023) [2023] KEHC 22826 (KLR) (21 September 2023) (Ruling)

Neutral citation: [2023] KEHC 22826 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
MISCELLANEOUS CIVIL CASE E022 OF 2023
DO OGEMBO, J
SEPTEMBER 21, 2023**

BETWEEN

MBUGUA, ATUDO AND MACHARIA ADVOCATES APPLICANT

AND

KENYA ALLIANCE INSURANCE CO LTD RESPONDENT

RULING

1. This matter comes up before court for the Application of the applicant, Mbugua, Atudo and Macharia Advocates dated May 19, 2023. The application basically seeks that judgement be entered at Kshs 863,459.20/= for the taxed Advocate - client costs as contained in the certificate of costs dated February 15, 2023 with interest herein at 14% per annum with effect from February 19, 2020 until payment in full. The application is supported by an affidavit of Pinto Nelson Atudo, Advocate.
2. This application was served on the Respondent who otherwise failed to file any response to the application not to appear before court on the date fixed for hearing of the application. The application was therefore unopposed.
3. I have considered the application and the Affidavit in support of the same. I have also considered the submissions made by learned counsel for the plaintiff in court on July 19, 2023.
4. The applicant has exhibited an itemized bill of costs dated July 22, 2023 and a certificate of costs dated February 15, 2023 showing the bill taxed at Kshs 863,459.20/=. Same is dated February 15, 2023.
5. In the absence of any evidence to the contrary, I am convinced that the application of the applicant has merit; I allow the same and enter judgement as prayed in terms of Prayer I of the Application dated May 19, 2023. The applicant will also get costs of this suit and of this application.

Orders accordingly.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 21ST DAY OF SEPTEMBER, 2023



D.O. OGEMBO

JUDGE

9.2023

Court:

Ruling read out in Open court.

Both parties are absent.

D.O. OGEMBO

JUDGE

