



Odhiambo Owiti & Co Advocates v Kenya Orient Insurance Limited (Miscellaneous Civil Application 183 of 2020) [2023] KEHC 22558 (KLR) (21 September 2023) (Ruling)

Neutral citation: [2023] KEHC 22558 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CIVIL APPLICATION 183 OF 2020
RE ABURILI, J
SEPTEMBER 21, 2023**

BETWEEN

ODHIAMBO OWITI & CO ADVOCATES APPLICANT

AND

KENYA ORIENT INSURANCE LIMITED RESPONDENT

(Arising from professional services rendered by the Applicant for the Respondent in the Original Kisumu CMCC No. 325 of 2013)

RULING

1. The application dated May 31, 2021 seeks for orders adopting the certificate of costs issued on March 4, 2021 as judgment of this court on the taxed advocate/client bill of costs and that decree do issue for Kshs 168,372.50.
2. The Applicant also prays for interest thereon at 14% p.a from June 10, 2018 until payment in full and cost of the application which is supported by the affidavit sworn by Kennedy O Owiti Advocate.
3. There is no Replying Affidavit opposing the application. No issue of retainer is raised and no Reference is pending determination.
4. Accordingly, the application dated May 31, 2021 is allowed. I adopt the certificate of costs issued on February 4, 2021 in the sum of 168,372.50 and enter judgment for the Applicant/Advocate against the Respondent/Client in the sum of Kshs 168,372.50 together with interest thereon at 14% p.a from June 10, 2018 until payment in full as the client was served with an itemised bill of costs by the advocate on May 9, 2018.
5. Each party to bear their own costs of the application dated May 31, 2021.
6. This Ruling to apply to HC Misc Application Nos 184, 185 and 186 of 2020 with necessary modifications as to the amounts/sums of taxed costs due.



7. Decree to issue in all the matters in the series between the same parties.
8. Mention before the Deputy Registrar on October 25, 2023 to confirm settlement of the decrees in each of the series files.

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

R. E. ABURILI

JUDGE

