



REPUBLIC OF KENYA



**Sala and Mudany Advocates v County Government of Kisumu (Civil Miscellaneous E197 of 2024) [2024] KEHC 12255 (KLR) (14 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12255 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CIVIL MISCELLANEOUS E197 OF 2024  
MS SHARIFF, J  
OCTOBER 14, 2024**

**BETWEEN**

**SALA AND MUDANY ADVOCATES ..... PLAINTIFF**

**AND**

**COUNTY GOVERNMENT OF KISUMU ..... DEFENDANT**

**RULING**

1. Whereas the subject matter that informed the filing of this advocate/client bill of costs was land, the Applicant moved this court for taxation.
2. Jurisdiction is everything and this court cannot cloth itself with jurisdiction that is not donated to it by either statute or *the Constitution* of Kenya 2010. In the absence of jurisdiction all that a court can do is to down its tools and that is what I will do. (See Owners of Motor Vessel Lilian S -vs- Caltex Oil Kenya Ltd) (1989) KLR).
3. Premised upon the reasons aforesaid I do hereby strike out the advocate/client bill of costs dated April 16, 2024 with costs to the Respondent assessed at Kshs.15,000.
4. This file is marked as closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 14<sup>TH</sup> DAY OF OCTOBER, 2024.**

**M. S. SHARIFF**

**JUDGE**

