

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

MISC. APPLICATION NO. 44 OF 2014

M.S. SHARIEF & COMPANY ADVOCATES.....APPLICANT

VERSUS

OMARI MBWANA ZONGA.....RESPONDENT

R U L I N G

1. The application due for hearing today was served upon the Respondent on the 8/11/2016. On 16/12/2016 Mr. Asige's firm came on record by filling a Notice of appointment but that notice was never served hence it has not taken effect and therefore Mr. Asige is not on record and has no right of audience leave alone the right to seek and obtain an adjournment.
2. The application even though served then has never elicited any response and is thus unopposed.
3. Having considered it on the basis of the court record, I do consider it merited as there is no contest as to retainer and the certificate of costs has become final.
4. I thus allow the application dated 12/10/2016 and enter judgment for the Advocate/Applicant in the sum of Kshs.593,187.30 plus interest thereon at 14% p.a. from the date of the certificate of costs till payment in full.

Dated and delivered at Mombasa this 2nd day of April 2019.

P.J.O. OTIENO

JUDGE