



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT SIAYA**

**MISCELLANEOUS CIVIL APPLICATION NO. 7 OF 2019**

**ODHIAMBO OWITI & COMPANY ADVOCATE.....APPLICANT**

**VERSUS**

**DOMINION FARM LTD ..... RESPONDENT**

**JUDGMENT**

1. The Notice of Motion dated 2.10.2019 seeks for adoption of the Certificate of costs certifying Advocate/Client costs at **KShs.880,374.00** on 15.5.2019, by the Deputy Registrar of the Court.
2. The Respondents were served as per the affidavit of service dated 23<sup>rd</sup> October 2019 but have not appeared to oppose the application
3. The costs arise from the Professional Legal Services rendered by the Advocate/Applicant to the Respondent/Client in **Siaya PMCC No. 96B of 2017-Lachlan Kenya v Dominion Farms Limited.**
4. There is no Reference or objection filed to this Court challenging the Certificate of Taxation of costs. That being the case, and as the period for lodging a Reference has lapsed, I find the application merited.
5. ***I grant the prayers sought and enter judgment for the Applicant/Advocate in terms of the Certificate of Taxation dated 15.5.2019 in the sum of Kshs. 880,374.00 together with interest thereon at 14% p.a. from 15.5.2019 date of taxation until payment in full. Decree to issue.***
6. To avoid escalation of further costs and to bring this litigation to an end, I order that each party shall bear their own costs of this application dated 2.10.2019.

**Dated, Signed and delivered this 6<sup>th</sup> day of November, 2019.**

**R.E. ABURILI**

**JUDGE**

**In the presence of:**

Miss Osewe Advocate for the Applicant Advocate

N/A for the Respondent

CA: Winnie and Modestar