

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

CONSTITUTIONAL AND HUMAN RIGHTS DIVISION

MISCELLANEOUS APPLICATION NO. 25 OF 2017

KOCEYO AND COMPANY ADVOCATES.....PETITIONER

VERSUS

NAIROBI CITY COUNTYRESPONDENT

RULING

1. This ruling related to the Notice of Motion dated 6th June 2018 in which the applicant seeks orders that judgment be entered against the respondent for kshs 559, 549 together with interest at the rate of 14% p.a. from 31st May 2018 till payment in full. The applicant also prays for the costs of the application.
2. The application is premised on the grounds that the applicant offered legal services to the respondent in Nairobi H.C. Constitutional Petition No. 490 of 2016 which services the respondent did not pay for the said services thereby prompting the applicant to file a bill of costs.
3. The applicant's case is that the bill of costs was taxed on 24th May 2018 and a certificate of costs (annexture "TKI") issued.
4. The respondent did not file any replying affidavit to the application and therefore the application is unopposed.
5. I have considered the application, the supporting affidavit and the applicants written submissions. I find that the application is merited as the certificate of taxation has not been set aside. It has not been disputed that the applicant represented the respondent and is therefore entitled to his costs.
6. I therefore allow the application dated 6th June 2018 as prayed. I also grant the costs of the application to the applicant.

Dated, signed and delivered in open court at Nairobi this 20th day of November 2018.

W. A. OKWANY

JUDGE

In the presence of:

No appearance for the parties

Court Assistant – Kombo