

REPUBLIC OF KENYA

IN THE HIGH COURT AT KISUMU

MISC. CIVIL APPLICATION NO. 61 OF 2015

BETWEEN

NATIONAL BANK OF KENYA LIMITED CLIENT /APPLICANT

AND

OTIENO RAGOT & COMPANY ADVOCATES ADVOCATES/ RESPONDENT

RULING NO. 3

1. The application before the court is one for review of the ruling dated 17th August 2016 (Ruling No. 2) in which I dismissed the Client's reference dated 14th December 2015 and allowed the Advocates' reference dated 30th December 2015.
2. The parties agreed a similar application for review had been filed in **Kisumu HC Misc. 61 of 2015** and the ruling in that case should apply to this matter as the grounds and arguments were similar.
3. In accordance with **Ruling No. 3** in **Kisumu HC Misc. 61 of 2015**, I review the orders made on 17th August 2015 and set aside the decision. The references shall now be heard afresh.
4. The Client shall pay the Advocates the costs which I assess at Kshs. 30,000/-.
5. Orders accordingly.

DATED and DELIVERED at KISUMU this 6th day of March 2017.

D.S. MAJANJA

JUDGE

Mr Ojuro instructed by Otieno, Yogo, Ojuro & Company Advocates for the Client/applicant.

Mr Otieno instructed by Otieno Ragot & Company Advocates for the Advocates/respondents.