



**Kinyua & Maingi Advocates v Trident Insurance Company Limited; Safaricom Plc (Garnishee)  
(Miscellaneous Civil Case E189 of 2023) [2025] KEHC 14146 (KLR) (9 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 14146 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT ELDORET  
MISCELLANEOUS CIVIL CASE E189 OF 2023  
RN NYAKUNDI, J  
OCTOBER 9, 2025**

**BETWEEN**

**KINYUA & MAINGI ADVOCATES ..... APPLICANT**

**AND**

**TRIDENT INSURANCE COMPANY LIMITED ..... RESPONDENT**

**AND**

**SAFARICOM PLC ..... GARNISHEE**

**RULING**

1. Before this court is an application dated 1<sup>st</sup> day of September 2025 seeking the following orders:
  - a. Spent
  - b. Spent
  - c. That this Honourable court be pleased to issue Garnishee order nisi against the Garnishee, Safaricom Limited to attach all monies due and belonging to Trident Insurance Co. Limited in her credit or on her mpesa pay bill number 985850 and or in any other Pay bill or Till Number or so much of it as is sufficient to satisfy the decree of KES. 128,580.60/= only together with costs of this Garnishee proceeding amounting to Kshs 30,000/= totally to Kshs 158,580.60/= herein which amounts remain due and owing.
  - d. That the Garnishee, Safaricom Limited, shall upon being served with Garnishee 8,131.82is held in the said Mpesa Paybill Number 985850 and due to the Judgment Debtor, Trident Insurance Co. Advocates the said sum of Kshs. 128,580.60 plus costs of this Garnishee application amounting to Kshs. 30,000/=.



- e. That if the Garnishee, Safaricom Limited disputes holding funds and monies to the credit of by this honourable court to appear and state the same during the hearing of the Applicants application.
- f. That the Garnishee orders nisi be made absolute.
- g. That costs be provided for.

Which application is based on the following grounds:

- a. That judgement exists against the respondent/judgment debtor
- b. That the respondent has failed to settle the resultant decree
- c. That the judgement debtor having ignored/refused to settle the decree herein, there is need to attach its account held by the Garnishee
- d. That unless Garnishee orders nisi is issued forthwith, the Respondent shall withdraw any money held in its accounts aforesaid to defeat the ends of justice.

### **Decision**

- 2. I have reviewed the application pursuant to section 1A, 1B, and section 3A of the CPA, Order 51 Rule 1 and 3, Order 22 Rule 1 & 11 and Order 23 Rules 1 and 10 of 1 the CPA, cap 21, laws of Kenya 2010 and all other relevant enabling provisions of the law.
- 3. As a consequence, there is merit to grant prayers no. 1 and 2.

**GIVEN UNDER MY HAND AND THE SEAL OF THIS COURT THIS 9<sup>TH</sup> DAY OF OCTOBER 2025.**

.....

**R. NYAKUNDI**  
**JUDGE.**

