

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KAPENGURIA

MISC. APPLICATION CASE NO. E005 OF 2024

GEOFFREY K. LOWASIKOU

P/A LOWASIKOU & CO. ADVOCATES:.....APPLICANT

= V E R S U S =

CORPORATE INSURANCE COMPANY LIMITED:.....RESPONDENT

RULING

1. **Geoffrey Lowasikou T/A Lowasikou & Co. Advocates**, the applicant herein, filed the notice of motion dated 4/7/2025 against Corporate Insurance Company Ltd, seeking the following orders:-

1. ***That judgment be entered for the applicant against the respondent for the sum of Kshs 240,111.33/=;***
2. ***That a decree do issue for the said amount and the applicant be at liberty to execute;***
3. ***That costs of the application be borne by the respondent.***

2. The application is premised on grounds found in the body of the application and an affidavit sworn by the applicant dated 4/7/2025.

3. The applicant deponed that the claim arises from an advocate-client bill of costs which was taxed at Kshs 290,111.33/= and certificate of costs was issued on 20/12/2024 (GKL-1); that by an email dated 28/1/2025, the respondent made a payment proposal of Kshs 50,000/= per month until

the costs were paid in full; that the applicant agreed to the said plan and the first instalment of Kshs 50,000/= was paid; that since then, the respondent has neglected and refused to settle the balance as agreed and that has necessitated this application.

4. The respondent did not file any response to this application. The applicant filed an affidavit of service dated 21/7/2025 in which he was deponed that the respondent was duly served through email on 4/7/2025 through their known addresses.
5. Having confirmed service and failure by the respondent to reply to the application or attend court, the application proceeded unopposed. The applicant had acted for the respondent in **SPMCC. Kapenguria E039/2021 Noah Lokai Nakwa -vs- Jonathan Pkukat Kakuko** where he filed defence on behalf of the respondent's client and thereafter a bill of costs was taxed.
6. By the email dated 28/1/2025 the Respondent had admitted the sum claimed and paid the first instalment of Kshs. 50,000/=. So far, there is no evidence that the Respondent has settled the same.
7. I find that the applicant has demonstrated that he is owed the sum claimed and I hereby enter Judgment for the applicant for the sum of

Kshs.240,111.33 as prayed. The Respondent will bear the costs of the application

Delivered, Dated and Signed at Kapenguria this **30th** day of October, **2025**

**R. WENDOH
JUDGE**

Ruling delivered in the presence of:-

Juma/Hellen – Court Assistants