

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT BUSIA
MISCELLANEOUS APPLICATION NO. E046 OF 2024

OCHARO KEBIRA & COMPANY, ADVOCATES.....
APPLICANT

VERSUS

AFRICA MERCHANT ASSURANCE COMPANY LIMITED.....
RESPONDENT

RULING

1. I am invited to determine a Motion, dated 10th April 2025. It seeks entry of judgement for Kshs. 171,015.00, with interest at 14% and costs of Kshs. 50,000.00. A certificate of costs is attached, dated 28th March 2025.
2. The application is opposed by the respondent, who raises issues with errors made by the taxing officer, specifically pointing out there were no instructions given to the applicant to act.
3. What is before me is not a reference, but an application to enter judgement. I, accordingly, enter judgement as prayed, save that the costs are awarded at Kshs. 3,000.00. Orders accordingly.

**DELIVERED, VIA EMAIL, DATED AND SIGNED IN CHAMBERS, AT
BUSIA, ON THIS 31ST DAY OF OCTOBER 2025.**

WM MUSYOKA
JUDGE

Mr. Arthur Etyang, Court Assistant.

Advocates

Ms. Omolo, instructed by Eric Ntabo & Company, Advocates for the applicant.

Ms. Wamaitha, instructed by Nambafu & Okinyi Advocates LLP, Advocates for the respondent.

