



MNM Advocates LLP v Kenya Orient Insurance Co. Ltd (Miscellaneous Civil Application E012 of 2025) [2025] KEHC 16607 (KLR) (13 November 2025) (Ruling)

Neutral citation: [2025] KEHC 16607 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT CHUKA
MISCELLANEOUS CIVIL APPLICATION E012 OF 2025
RL KORIR, J
NOVEMBER 13, 2025**

BETWEEN

MNM ADVOCATES LLP APPLICANT

AND

KENYA ORIENT INSURANCE CO. LTD RESPONDENT

RULING

1. MNM Advocates LLP (Applicant) filed a Notice of Motion dated 25th September 2025 seeking orders:-
 - i. That this honourable court be pleased to convert the Certificate of Taxation issued on 24th September 2025, into a decree and judgement together with interests from the date of taxation at the court's rates until payment in full.
 - ii. That the costs of this application be provided for.
2. The Application is premised on the grounds:-
 - i. That the Applicant filed its Advocate- client Bill of Costs dated 14th April 2025 for taxation and determination of its fees.
 - ii. That the Bill was taxed by the taxing master of this court on the 7th August 2025 and allowed in the sum of Kshs.190,800/=.
 - iii. That a Certificate of Taxation was issued to that effect on the 16th September 2025.
 - iv. That the Certificate of Taxation has not been challenged or set aside.
3. The Application is supported by the sworn Affidavit of Kinyua Wanjohi a practitioner in the Applicant's firm. He stated that their Advocate/client Bill of Costs was taxed on 7th August 2025 and allowed in the sum of Ksh.190,800/=. He displayed the Certificate of Taxation (KW-1) dated 16th September 2025 which he averred had not been challenged or set aside.



4. At the hearing of the Application on 11th November 2025, Mr. Kinyanjui who held brief for Mr. Mutege, Counsel for the Respondent conceded the Application.

5. Section 51 (2) of the [Advocates Act](#) provides that:-

“The certificate of the taxing officer by whom any bill has been taxed shall, unless it is set aside or altered by the Court, be final as to the amount of the costs covered thereby, and the Court may make such order in relation thereto as it thinks fit, including, in a case where the retainer is not disputed, an order that judgment be entered for the sum certified to be due with costs.”

6. It is clear that the amount contained in the Certificate of Taxation is final and that this court has the power to enter Judgment for the taxed amount. There is no evidence to show that the Certificate of Taxation had been altered or set aside.

7. Once a taxing mater has taxed costs and issued a corticate thereof, and no payment has been made or reference filed all that is required of the court is to enter judgment. In *Lubulellah & Associates Advocates vs N K Brothers Limited* [2014] eKLR, the court held that:-

“The law is very clear that once a taxing master has taxed the costs, issued a Certificate of costs and there is no reference against his ruling or there has been a ruling and a determination made and not set aside and/or altered, no other action would be required from the court save to enter judgment.”

8. In the premises I allow the Application as prayed and enter judgement in favour of the Applicant for the amount reflected in the Certificate of Costs being Kshs.190,800/- with interest at court rates till payment in full.

9. The Applicant shall have the costs of the Application.

Orders accordingly.

RULING DELIVERED, DATED AND SIGNED AT CHUKA THIS 13TH DAY OF NOVEMBER, 2025.

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R. LAGAT-KORIR

JUDGE

Ruling, delivered in the presence of Mr. Kinyua for the Applicant, and Mr. Kinyanjui holding brief for Mr. Mutege for the Respondent. Muriuki (Court Assistant)

