

**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT CHUKA**  
**MISC. CIVIL APPLICATION NO. E013 OF 2025**

**JULIUS ORENGE T/A ORENGE J &  
ASSOCIATES.....APPLICANT**

**VERSUS**

**KENYA ORIENT INSURANCE CO. LTD.....  
RESPONDENT**

**R U L I N G**

1. Julius Orenge T/A Orenge J & Associates (Applicant) filed a Notice of Motion dated 25<sup>th</sup> August, 2025 seeking orders:-

- (i) That judgement be entered in favour of the Advocates, Julius Orenge Advocates, T/A Orenge J & Associates against the client/Respondent, Directline Assurance Company in the sum of Ksh.115,550/-

together with interest thereon at court rates from 17<sup>th</sup> July 2025 in terms of Certificate of Taxation issued herein.

- (ii) That a Decree does issue for the said sum of Kshs.115,550/- upon entry of judgement.
- (iii) That costs of this taxation proceedings and application against the Respondent be assessed at Kshs.50,000/-.

2. The Application is premised on the following grounds:-

- (i) The applicant's bill of costs herein was taxed by taxing officer at Kshs.115,550/-
- (ii) A copy of Certificate of Taxation was signed by the taxing officer on 21<sup>st</sup> July 2025 and it is necessary that judgment be

entered to enable the applicant execute the decree for costs.

- (iii) The Applicant is not in a position to enforce payment of taxed costs arising from Certificate of Taxation issued herein unless judgement is entered as sought in the application.

3. The Application is supported by the sworn Affidavit of the Julius Orenge a practitioner in the Applicant's firm. He deponed that:-

- (i) That I am an Advocate of the High Court of Kenya practicing as such in the firm of Orenge J & Associates who are on record as the Applicant therefore competent to swear this affidavit.
- (ii) That the advocate represented the client in various civil matters.

- (iii) That the client failed to pay the advocates legal fees for the work done and the advocate filed its bill of costs as required.
- (iv) That the Bill of Costs was taxed on 17<sup>th</sup> July 2025 at Kshs.115,550/- (I produce a copy of the Certificate of Taxation **“OJ”**).
- (v) That the client has not paid the taxed fees to date.
- (vi) That I believe it is necessary that judgement is entered to enable the advocate execute the Decree and recover its fees.
- (vii) That no reference or challenge to taxation ruling and Certificate of Costs by the Respondent.

4. The Applicant filed an affidavit of service dated 4<sup>th</sup> September 2025 demonstrating that he had served

the Respondent both the Application and a hearing notice.

5. The Applicant exhibited a Certificate of Costs dated 17<sup>th</sup> July 2025 for the sum of one hundred and fifteen thousand five hundred and fifty shillings (Kshs.115,550).

6. The Application elicited no response from the Respondents.

7. When the Application came up for hearing on 8<sup>th</sup> October 2025, Mr. Kipkemoi Counsel for the Applicant, submitted that the Respondent had been served twice. He urged the court to grant the judgement in the Applicant's favour as the Application was not opposed and the stated amount in the Certificate of Costs had not been paid by the Respondents.

8. 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.”**

9. 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.
10. Once a taxing mater has taxed costs and issued a certificate thereof, and no payment has been made

or reference filed, all that is required of the court is to enter judgment. See **Lubulellah & Associates Advocates vs N K Brothers Limited [2014] eKLR.**

11. In the premise, I allow the Application and enter judgement in favour of the Applicant for the amount reflected in the Certificate of costs dated 21<sup>st</sup> July, 2025 being Kshs.115,550/- with interest at court rates from the date of the certificate till payment in full.

12. The Applicant shall also have the costs of this Application capped at twenty thousand shillings (Kshs.20,000/=).

Orders accordingly.

**Ruling delivered, dated and signed at Chuka this 25<sup>th</sup> day of November, 2025.**

.....

**R. LAGAT-KORIR**

**JUDGE**

**Ruling delivered in the absence of the parties.**

**Muriuki (Court Assistant).**

ORIGINAL