

**REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MILIMANI
FAMILY DIVISION
MISC APPLICATION NO. E045 OF 2024**

**TRIPLE N.W.& CO. ADVOCATES
ADVOCATE/APPLICANT**

VERSUS

REUBEN KIMANI WANGUI

1ST

CLIENT/RESPONDENT

MARY NJOKI NDUNGU2ND

CLIENT/RESPONDENT

RULING

1. The Applicant's Notice of Motion dated 11 August 2025 seeks the following orders that the Honourable Court be pleased to adopt the Certificate of Taxation attached herein as the judgement and decree of this Honourable Court following the taxation of the Advocate-Client Bill of Costs dated 1 March 2024 in the sum of Ksh 341,472.50.

2. The Application is supported by the Affidavit of Jackson Kiroko Ndegwa, Advocate. The Certificate of Taxation dated 23 June

2025 subsequently issued. No appeal has been filed against the said Certificate.

3. The Respondents did not participate in the Application despite being served.
4. In the case of ***Musyoka & Wambua Advocates v Rustam Hira Advocate*** (2006) eKLR it was held thus:

“Section 51 of the Act makes general provisions as to taxation, as the marginal note indicates. One of those provisions is that the court has discretion to enter judgment on a Certificate of Taxation which has not been set aside or altered, where there is no dispute as to retainer. This in my view is a mode of recovery of taxed costs provided by law, in addition to filing of suit.....”

5. Having read the Application and Supporting Affidavit, I am of the considered view that the same is merited. The Application is allowed and I make the following orders:
 - (i) Judgement is hereby entered for the Applicant against the Respondents in terms of the Certificate of Costs dated 23 June 2025 for Kshs 341,427.50
 - (ii) The Applicant is awarded costs assessed at Kshs 30,000/=.

**DATED AND DELIVERED AT NAIROBI THIS 13 DAY OF February
2026**

**HELENE R. NAMISI
JUDGE OF THE HIGH COURT**

Delivered on virtual platform in the presence of:

For Applicant: Ms Mwangi h/b Mr. Ndegwa

For the Respondent: N/A

Court Assistant: Lucy Mwangi

Ruling