



REPUBLIC OF KENYA



Orenges t/a Orenges J & Associates v Directline Assurance Company Limited (Miscellaneous Application E285 of 2025) [2026] KEELRC 806 (KLR) (24 March 2026) (Ruling)

Neutral citation: [2026] KEELRC 806 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
MISCELLANEOUS APPLICATION E285 OF 2025**

**AK NZEI, J
MARCH 24, 2026**

**BETWEEN
JULIUS ORENGE T/A ORENGE J & ASSOCIATES APPLICANT
AND
DIRECTLINE ASSURANCE COMPANY LIMITED RESPONDENT**

RULING

1. The application before me for determination is the Advocate/Applicant's Notice of Motion dated 19th January, 2026. The application, expressed to be brought under Section 51(2) of the Advocates Act and Section 3A of the Civil Procedure Act, seeks the following Orders:-
 - a. That Judgment be entered in favour of the Advocate, Julius Orenges Advocate t/a Orenges J & Company Advocates, against the Client/Respondent, Directline Assurance Company in the sum of Kshs.58,168/= together with interest at Court rates from 25th September, 2025 in terms of the Certificate of Taxation herein issued by Hon. Dr. Joseph Keverenge on 25th September, 2025 and signed by Hon. Fredrick Nyamora on 15th January, 2026.
 - b. That a decree do issue for the said sum of Kshs.58,168/= upon entry of Judgment.
 - c. That costs of this taxation proceedings and application against the Respondent be assessed at Kshs.15,000/=.
2. The application is based on the annexed supporting affidavit of Julius Orenges Advocate sworn on 19th January, 2026. Annexed to the supporting affidavit is a certificate of costs duly issued by the Deputy Registrar on 15th January, 2026.
3. The application was first placed before me under a certificate of urgency on 20th January, 2026, and finding no urgency in the application, I directed that the same be served on the Respondent; and fixed the matter for hearing on 16th February, 2026. The Respondent did not file any response to the



application, though shown to have been physically served on 2nd February, 2026. The application is, therefore, unopposed.

4. Issues that fall for determination, in my view, are whether Judgment should be entered as prayed by the Advocate/Applicant, and if so, whether the Advocate/Applicant is entitled to interest on the taxed costs, and to costs of the application herein as prayed.
5. On the first issue, the prayer for entry of Judgment in terms of the taxed and certified costs must succeed. Section 51(2) of the [Advocates Act](#), pursuant to which the application is brought, states as follows:-

“(2) The certificate of a 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 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 was stated as follows in the case of *Lesinko Njoroge & Gathogo Advocates – vs – Invesco Assurance Co. Ltd* [2021] eKLR:-

“(9) The procedure provided in Section 51(2) of the [Advocates Act](#) aides expeditious disposal of cases relating to recovery of advocate-client costs as long as:-

1. the costs have been taxed by and certified under the hand of the taxing master by a certificate of costs.
2. the certificate of costs has not been set aside or stayed or appealed against on a reference filed upon it; and
3. there is no dispute on the retainer. In such cases, Judgment is ordinarily entered in the sum in the certificate of costs upon application by the advocate. The application may be commenced by way of a Notice of Motion, which in law is a potent tool for originating a suit.”

7. On the issue of interest, the taxed and certified sum of Kshs.58,168/= regarding which the Court is called upon to enter Judgment is made up of costs. Under Section 27(2) of the [Civil Procedure Act](#):-

“(2) The Court or Judge may give interest on costs at any rate not exceeding fourteen percent per annum, and such interest shall be added to the costs and shall be recoverable as such.”

8. Section 26(1) of the [Civil Procedure Act](#) on the other hand provides that a Court may order interest where a decree is for payment of money.
9. In view of the foregoing, the Advocate/Applicant is entitled to interest on the taxed and certified costs, at Court rates, from the date of taxation until payment in full.
10. On whether the Advocate/Applicant is entitled to costs of the application herein as prayed, Section 51(2) of the [Advocates Act](#), which I have set out verbatim at paragraph 5 of this Ruling, allows an award of, and recovery of such costs.



11. In view of all the foregoing, the Notice of Motion dated 19th January, 2026 is hereby allowed in the following terms:-
- a. Judgment is hereby entered for the Advocate/Applicant against the Respondent herein in the sum of Kshs.58,168/=, being the sum taxed and certified by the taxing officer.
 - b. The said sum shall attract interest at Court rates, from the date of taxation, being 25th September, 2025, until payment in full.
 - c. Costs of the application herein, assessed at Kshs.15,000/=, are awarded to the Advocate/Applicant.
 - d. A decree shall issue.
12. Orders accordingly.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS

24TH DAY OF MARCH 2026

AGNES KITIKU NZEI

JUDGE

ORDER

This Ruling has been delivered via Microsoft Teams Online Platform. A signed copy will be availed to each party upon payment of the applicable Court fees.

AGNES KITIKU NZEI

JUDGE

Appearance:

Mr. Kipkemoi Sang for the Applicant

No appearance for the Respondent

