



**Kinyua & Maingi Company Advocates v Trident Insurance Company Limited
(Miscellaneous Case E114 of 2025) [2026] KEHC 4593 (KLR) (19 March 2026) (Ruling)**

Neutral citation: [2026] KEHC 4593 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIVASHA
MISCELLANEOUS CASE E114 OF 2025
GL NZIOKA, J
MARCH 19, 2026**

BETWEEN

KINYUA & MAINGI COMPANY ADVOCATES APPLICANT

AND

TRIDENT INSURANCE COMPANY LIMITED RESPONDENT

RULING

1. By a notice of motion application dated 15th August 2025, brought under the provisions of section 51(2) of the [Advocates Act](#) (Cap 16) Laws of Kenya, the applicant is seeking for the following orders: -
 - a. That judgment be entered in favour of the applicant against the respondent for the sum of Kenya Shillings Seventy Two Thousand seven hundred and seventy eight shillings (Kshs. 72,778) only being the certified costs due to the applicant as against the respondent.
 - b. That the respondent does pay the costs of this application together with interest on the taxed sum.
2. The application is supported by the grounds thereto and an affidavit of the even date, sworn by Njoki Kinyua, an Advocate of the High Court practising in the applicant's firm.
3. She avers that, the respondent instructed the applicant firm to act for the defendant in Naivasha CMCC No. E774 of 2022 Joseph Ndoro Munyiri vs Florence Muthoni Ngigi. However, the respondent failed to pay legal fees necessitating the filing of a bill of costs for taxation which was taxed at a sum of Kshs. 72,778 and a certificate of costs issued.
4. That, the respondent has refused, failed and neglected to pay the legal fees despite being served with the ruling and certificate of costs. Further, the certificate of taxation has not been appealed against, set aside or altered. That it is only fair and just that the application should be allowed as prayed.



5. I have considered the application in the light of the materials availed and I note that, the applicant has annexed to the affidavit in support of the application a letter from the respondent dated 28TH September 2022 instructing the applicant firm to enter appearance and file a defence in Naivasha CMCC No. E774 of 2022 Joseph Ngoro Munyiri vs Florence Muthoni Ngigi.
6. Further the applicant has attached a certificate of taxation dated 30th July 2025, in the sum of Ksh. 72,778. In addition, there is a letter dated 6th August 2025 forwarding the certificate of taxation.
7. The application was served as per the affidavit of service sworn by Simon Mutinda James on 15th September 2025. However, there was no response filed against it. Consequently, the application stands unopposed.
8. Be that as it may, it is considered in the light of provisions of section 51 (2) of the Advocates Act. Notably there's no dispute on retainer and neither has the certificate herein been varied or set aside. The certificate are evidence of the certified amount.
9. Furthermore, there is no indication that there is a dispute to the retainer and/or the certificate herein having been set aside or varied.
10. In the given circumstances I allow the application as prayed.
11. The interest shall be payable on the said sum as from the date of service of the certificate of taxation being 6th August 2025. The costs of this application are also awarded to the applicant but are to be determined as provided for under the law.
12. It is so ordered.

DATED, DELIVERED AND SIGNED ON THIS 19TH DAY OF MARCH 2026.

GRACE L. NZIOKA

JUDGE

In the presence of:

Ms. Amera for the applicant

N/A for the respondent

Hannah: Court Assistant

