



L.G. Menezes & Co. Advocates v Nanji & another (Environment & Land Miscellaneous Case E022 of 2021) [2024] KEELC 6085 (KLR) (24 September 2024) (Ruling)

Neutral citation: [2024] KEELC 6085 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT KISUMU
ENVIRONMENT & LAND MISCELLANEOUS CASE E022 OF 2021**

E ASATI, J

SEPTEMBER 24, 2024

BETWEEN

L.G. MENEZES & CO. ADVOCATES APPLICANT

AND

SHIRAZ MOHAMED NANJI 1ST RESPONDENT

ZEENAT SHIRAZ 2ND RESPONDENT

RULING

1. The application before court for determination is the Notice of Motion dated 15th April, 2023 seeking that judgement be entered for the Applicant against the Respondent for Kshs.474,837.42 as per the certificate of costs dated 30th September, 2022 together with interest at 14% per annum from 24th October, 2021 till payment in full. The application was brought pursuant to the provisions of section 51 (2) of the *Advocates Act* Cap 16 Laws of Kenya and Section 3A of the *Civil Procedure Act*.
2. The application also seeks for an order that costs of the application be provided for. The application is supported with the contents of the Supporting Affidavit sworn by Dancan Otieno Njoga on 15th April, 2023.
3. The application was unopposed. Affidavit of Service sworn by Dancan Otieno Njoga on 30th August, 2024 shows that the Respondents were served with the hearing notice on 10th June, 2024. Attached to the Affidavit of Service was forwarding letter and hearing notice both dated 10th June, 2024. I find that the Respondents were properly served but failed to respond to the application.
4. Attached to the Supporting Affidavit is a Certificate of Costs showing that the Advocates-Client costs were taxed and certified at Kshs.474,837.42. There is no evidence that the certificate of costs has been set aside or varied.
5. The application is meritorious and is hereby allowed. Costs to the Applicant.



Orders accordingly

6. Ruling, dated and signed at Kisumu, read virtually this 24th day of September, 2024 through Microsoft Teams Online Application.

E. ASATI

JUDGE.

In the presence of:

Maureen: Court Assistant.

Otieno Njoga for the Applicant/Advocate

No appearance for the Respondent/Client

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