



Kilakoi t/a Solonka & Solonka Advocates LLP v Kajiado County Government (Environment & Land Miscellaneous Case E141 of 2024) [2024] KEELC 7248 (KLR) (30 October 2024) (Ruling)

Neutral citation: [2024] KEELC 7248 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI
ENVIRONMENT & LAND MISCELLANEOUS CASE E141 OF 2024
LN MBUGUA, J
OCTOBER 30, 2024**

BETWEEN

**GIDEON SOLONKA KILAKOI T/A SOLONKA & SOLONKA ADVOCATES
LLP APPLICANT**

AND

KAJIADO COUNTY GOVERNMENT RESPONDENT

RULING

1. This miscellaneous file was filed by way of a Notice of Motion Application dated 22.3.2024 where the applicant seeks orders that:

“Judgment to be entered in favour of the Applicant herein Gideon Solonka Kilakoi T/A Solonka & Co. Advocates against the Respondent the County Government of Kajiado in the sum of Kshs. 1,585,501.19/= plus interest at Court rates from the date of taxation”.

The application is premised on the grounds on the face of the application and the supporting affidavit of the applicant. He contends that he represented the respondent in the case ELC 232 OF 2006 where the respondents were sued as the interested parties and judgment was delivered on 17.12.2020.
2. That an appeal was lodged against the said judgment in the Court of Appeal case no. E071 OF 2021 where again he represented the respondent in which judgment was delivered.
3. That he filed an Advocates –Client Bill of costs dated 6.7.2023 in the case E232 OF 2006 which was taxed at Ksh.1,022,182.29 and a Certificate of Taxation was duly issued. He also filed an Advocates – Client Bill of costs dated 1.8.2023 in Civil Appeal no. E071 OF 2021 which was taxed at Ksh. 563,318.90, and a Certificate of Taxation was again issued. The total sum is Ksh. 1,585,501.19 which amount he has tried to get from the respondent in vain.
4. No responses were filed in respect of this application.



5. The provisions of Section 51 (2) of the *Advocates Act* give this court the mandate to enter judgment. In the case at hand, the applicant has given a consistent chronology of the events giving rise to the figure of Ksh. 1,585,501.19. Their bill of costs dated 6.7.2023 in ELC 232 OF 2006 was taxed at Ksh. 1,022,182 vide the ruling dated 15.12.2023. While the bill of costs in the appeal no. E071 OF 2021 dated 1.8.2023 was taxed at Ksh. 563,318 vide the ruling dated 8.11.2023. The certificate of costs in both instances have been issued.
6. In the circumstances, I find that this miscellaneous suit is merited, the same is hereby allowed as drawn.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 30th DAY OF OCTOBER 2024 THROUGH MICROSOFT TEAMS.

LUCY N. MBUGUA

JUDGE

In the presence of:

Chacha holding brief for M/s Kababa for Applicant

Court Assistant: Vena

