



REPUBLIC OF KENYA



KENYA LAW
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**Joe Ngigi & Co Advocates v Trident Insurance Company Limited; Safaricom Plc (Garnishee)
(Miscellaneous Application E163 of 2022) [2025] KEHC 10942 (KLR) (25 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 10942 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS APPLICATION E163 OF 2022**

JM OMIDO, J

JUNE 25, 2025

BETWEEN

JOE NGIGI & CO ADVOCATES APPLICANT

AND

TRIDENT INSURANCE COMPANY LIMITED RESPONDENT

AND

SAFARICOM PLC GARNISHEE

RULING

1. This ruling results from the Advocate/Applicant's Notice of Motion dated 4th June, 2025, brought Sections 1A, 1B and 3A of the *Civil Procedure Act*, Order 51 Rule 1 and 3, Order 23 Rule 1 and 10 of the *Civil Procedure Rules* and all other relevant enabling provisions of the law and seeks an order that the garnishee order nisi issued against the Garnishee on 5th June, 2025 be made absolute and that a provision as to the costs of the application be made.
2. Having considered the Garnishee's replying affidavit sworn on 17th June, 2025 by Cerere Kihoro in which the Garnishee confirms that it is holding the Judgement Debtor's funds which are sufficient to satisfy the decree herein, I hereby allow the application in the following terms:
 - a. A garnishee order absolute is hereby issued against the Garnishee for the amount of Ksh.350,549.65/- and the Garnishee is hereby ordered to forthwith release the said amount to the Decree Holder from the Judgement Debtor's Safaricom Mpesa Paybill Number 985850, together with costs of the garnishee proceedings of Ksh.10,000/-.
 - b. The Garnishee's costs of the garnishee proceedings are hereby assessed at Ksh.10,000/- and the Garnishee shall recover the same from the Judgement Debtor's Safaricom Mpesa Paybill No. 985850.



3. This file is hereby marked as closed.

DELIVERED (VIRTUALLY), DATED AND SIGNED THIS 25TH DAY OF JUNE, 2025.

JOE M. OMIDO

JUDGE

For The Applicant: Mr. Kering.

For The Repondent: No Appearance.

For The Garnishee: Mr. Itume Holding Brief For Mr. Otieno.

Court Assistant: Mr. Ngoge & Mr. Juma.

