



**Prof Tom Ojienda & Associates v Nairobi County Government
 (Miscellaneous Application E017 of 2020) [2024] KEHC 723 (KLR)
 (Constitutional and Human Rights) (29 January 2024) (Ruling)**

Neutral citation: [2024] KEHC 723 (KLR)

**REPUBLIC OF KENYA
 IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
 CONSTITUTIONAL AND HUMAN RIGHTS
 MISCELLANEOUS APPLICATION E017 OF 2020**

**LN MUGAMBI, J
 JANUARY 29, 2024**

BETWEEN

PROF TOM OJIENDA & ASSOCIATES APPLICANT

AND

NAIROBI COUNTY GOVERNMENT RESPONDENT

RULING

1. The Applicant’s counsel M/s Musando holding brief for Prof. Tom Ojienda SC appeared in court on 23rd January, 2024 for hearing of the Notice of Motion dated 1st September, 2023 filed by the firm for the Applicant.
2. Neither the Respondent nor his Advocate appeared despite evidence of service as attested to by the affidavit of service filed in court sworn on 17th January, 2024 indicating the Respondent was duly served with the application and the notice to appear in court on 23rd January, 2024.
3. Counsel for the applicant thus moved the court to allow the application dated 1st September, 2023 seeking that Judgment be entered for the applicant against the respondent for the sum of Kshs 1,022,241.30 (One Million, Twenty Two Thousand, Two Hundred Forty One and Thirty Cents Only.) as appears in Certificate of Costs dated 31st August, 2023 with interest thereon from the date of filing of Bill of Costs until payment in full and that the applicant be allowed to execute the Judgment against the Respondent.
4. The Respondent having not filed any documents in opposition to the application and/having not appeared to defend the application in any way despite evidence of service, hereby allow the application as prayed, that is: -



1. Judgment is entered for the Applicant against the Respondent for the sum of Kshs 1,022,241.30 (One Million, Twenty Two Thousand, Two Hundred Forty One and Thirty Cents Only.) as per Certificate of Taxation dated 31st August, 2023 together with Interest from the date of filing of the Bill of Costs until payment in full.
2. The Applicant is allowed to execute the judgment using authorized means against the Respondent.
3. Cost of this application be borne by the Respondent.

DATED, SIGNED AND DELIVERED AT MILIMANI THIS 29TH DAY OF JANUARY, 2024.

L N MUGAMBI

JUDGE

