



**Kariuki t/a Kiarie Kariuki & Company Advocates v Monarch Insurance Company Limited  
(Miscellaneous Application E034 of 2022) [2024] KEHC 1887 (KLR) (27 February 2024) (Ruling)**

Neutral citation: [2024] KEHC 1887 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT VOI  
MISCELLANEOUS APPLICATION E034 OF 2022  
GMA DULU, J  
FEBRUARY 27, 2024**

**BETWEEN**

**KIARIE KARIUKI T/A KIARIE KARIUKI & COMPANY  
ADVOCATES ..... APPLICANT**

**AND**

**THE MONARCH INSURANCE COMPANY LIMITED ..... RESPONDENT**

**RULING**

1. Before me is a Notice of Motion dated 9<sup>th</sup> June 2023 filed by Kiarie Kariuki & Company Advocates under Section 51 (2) of the [Advocates Act](#) and paragraph 7 of the [Advocates Remuneration Order](#) (Cap.16) Laws of Kenya.
2. The application seeks entry of judgment in favour of the advocates firm for taxed costs, and interest at the rate of 16% per annum from 9<sup>th</sup> February 2023 until payment in full, together with costs.
3. The application has grounds on the face of the Notice of Motion that judgment was delivered in Voi SRMC No. 5 of 2018, on 26<sup>th</sup> September 2019, and that on 8<sup>th</sup> February 2023 the Taxing Officer assessed the Bill of Costs at the sum of Kshs. 131,304.50 and a Certificate of Taxation issued in favour of the advocate.
4. The application was filed with a supporting affidavit sworn by Kiarie Kariuki on 9<sup>th</sup> June 2023 amplifying the grounds of the application.
5. Though on 5<sup>th</sup> October 2023 Mr. Onduso appeared for the respondents, and was given time to file a response to the application, no response has been filed to date.
6. The application herein thus not being opposed, I find no basis for not granting the orders sought.
7. Consequently, I allow the application and order as follows:-



- i. Judgment is hereby entered in favour of Kiarie Kariuki & Company Advocates against the respondent for the sum of Kshs. 131,304.50 together with interest at the rate of 16% per annum from 9<sup>th</sup> day of February 2023 until payment in full.
- ii. The costs of this application will be borne by the respondent.

**DATED, SIGNED AND DELIVERED THIS 27<sup>TH</sup> DAY OF FEBRUARY 2024 AT VOI IN OPEN COURT VIRTUALLY.**

**GEORGE DULU**

**JUDGE**

In the presence of:-

Alfred – Court Assistant

Ms. Layoo for applicant

Mr. Onduso for respondent

