



**Kiarie Kariuki t/a Kiarie Kariuki & Company Advocates v Monarch Insurance Company Limited  
(Miscellaneous Application E007 of 2023) [2024] KEHC 1809 (KLR) (27 February 2024) (Ruling)**

Neutral citation: [2024] KEHC 1809 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT VOI  
MISCELLANEOUS APPLICATION E007 OF 2023  
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* (cap.16) and paragraph 7 of the *Advocates Remuneration Order*.
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 SPMCC No. 191 of 2017, in this case wherein the respondents retained the advocates to represent them, and that on 8<sup>th</sup> February 2023 the Taxing Officer assessed the Bill of Costs at the sum of Kshs. 221,295/= 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 was filed to date.
6. Thus the application herein 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. 221,295/= together with interest at the rate of 16% per annum from 9th 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 27TH 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**

