



Otieno Yogo, Ojuro & Company Advocates v Okumu (Miscellaneous Application E074 of 2023) [2024] KEHC 3322 (KLR) (20 March 2024) (Ruling)

Neutral citation: [2024] KEHC 3322 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS APPLICATION E074 OF 2023
RE ABURILI, J
MARCH 20, 2024**

BETWEEN

OTIENO YOGO, OJURO & COMPANY ADVOCATES ADVOCATE

AND

AJWANGO PAUL OKUMU CLIENT

RULING

1. The Applicant Advocate vide his application dated 1st December 2023 seeks orders under Section 51(2) of the *Advocates Act*, for conversion of the certificate of costs dated 11th September 2023 into a judgment and decree of the court.
2. The costs were assessed against the Client/Respondent at Kshs162,875.
3. The Respondent has not challenged the certificate of costs by way of a reference and neither has he challenged retaining the advocates to represent him in the matter giving rise to costs being a commercial transaction involving sale of land parcel No. Kisumu Municipality/Block 6/293.
4. That being the case, I hereby enter judgment for the Advocate/Applicant in the sum of Kshs.162,875 as per the certificate of costs dated 11th September 2023 and order that decree shall issue.
5. As the costs never arose from court proceedings, I make no orders as to interest and costs of these proceedings.
6. Decree to issue and be served upon the Respondent giving him a minimum of ten (10) days to settle before any application for execution can be lodged in court.
7. Mention before the Deputy Registrar on 22nd April 2024 to confirm settlement.
8. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 20TH DAY OF MARCH, 2024



R. E. ABURILI
JUDGE

