



Cecil Kouko & Associates Advocates v Okello (Miscellaneous Civil Application E149 of 2023) [2024] KEHC 6218 (KLR) (30 May 2024) (Ruling)

Neutral citation: [2024] KEHC 6218 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CIVIL APPLICATION E149 OF 2023**

RE ABURILI, J

MAY 30, 2024

BETWEEN

CECIL KOUKO & ASSOCIATES ADVOCATES APPLICANT

AND

PHILIP OMONDI OKELLO RESPONDENT

(Arising from the professional services rendered by the Applicant to the Respondent in the original Kisumu CM Children Case No. E090 of 2021)

RULING

1. I have considered the application dated 30th October 2023. I observe that the Taxation was undertaken without calling for the primary file Kisumu Magistrate's Court Children's Court Case No. E090 of 2021 for perusal and verification of the items in the bill of costs dated 4th September 2023.
2. It follows that the basis upon which the taxation was undertaken is unknown as the items on the bill of costs were never verified.
3. On the court's own motion, I hereby set aside the taxation and certificate of costs dated 30th December 2023 and return the file to the Deputy Registrar to call for the primary file where the professional services were rendered and retax the bill based on the trial court record.
4. Taxation shall be on 13th June 2024 before the Deputy Registrar.

Dated, Signed and Delivered at Kisumu this 30th Day of May, 2024

R. E. ABURILI

JUDGE

Page 2 of 2

