



Onsongo & Company Advocates v County Assembly of Homabay Service Board (Miscellaneous Civil Application E062 of 2023) [2024] KEHC 8089 (KLR) (28 June 2024) (Ruling)

Neutral citation: [2024] KEHC 8089 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CIVIL APPLICATION E062 OF 2023**

RE ABURILI, J

JUNE 28, 2024

BETWEEN

ONSONGO & COMPANY ADVOCATES APPLICANT

AND

THE COUNTY ASSEMBLY OF HOMABAY SERVICE BOARD RESPONDENT

RULING

1. I have considered the application dated 25th May, 2024, the grounds and supporting affidavit of Richard B. Onsongo advocate/ applicant sworn on 24th May 2023.
2. I note that this is an advocate/ client costs matter wherein the taxation was done by the Deputy Registrar on 17th August, 2023. To date, there is no reference filed challenging the certificate of costs issued on 22nd May, 2023 and neither is there any dispute as to retainer.
3. The respondent was served with the bill of costs and date for taxation but no appearance or opposition was made or filed. Neither have they filed any opposition to the application herein seeking for an entry of judgment in terms of the certificate of costs stated above.
4. The services were rendered by the advocate in Kisumu Court of Appeal Civil Appeal No E036 of 2021. The Deputy Registrar taxed the bill of costs dated 18th May, 2023 at Kshs 290, 812.
5. Accordingly, I hereby enter judgment for the applicant against the respondents in the sum of Kshs 290, 812 as per the certificate of costs issued on 22nd May, 2023.
6. On interest, pursuant to Rule 7 of the *Advocates Remuneration Order*, I order that the costs shall earn interest at 14% per annum from 9th June, 2023, one month from the date when the itemised bill was served on the respondents were served with the said bill, which was on 9/5/2023.
7. Decree to issue.



8. Each Party to bear their own costs of the application.
9. Mention on 8th August, 2024 before the Deputy Registrar, to confirm settlement or any other directions to be given.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 28TH DAY OF JUNE, 2024

R.E. ABURILI

JUDGE

