Decree and Taxed Costs Schedule Separating Principal Payments and Alleged Compromise

Educational sample 384 | Mombasa

Educational reconstruction from a reported Kenyan decision. Newly drafted wording, not an original court filing or a matter handled by our team. Specimen identities are bracketed. Adapt to genuine facts, current law, jurisdiction and court directions before signing, swearing or filing.

Reconstructed formal document

REPUBLIC OF KENYA

IN THE HIGH COURT AT MOMBASA

CIVIL SUIT NO [reference]

[DECREE HOLDER] v [JUDGMENT DEBTORS]

EVIDENCE OR COMPUTATION SCHEDULE

1. This schedule reconciles the enforceable decree as at [cut-off date]. Enter the certified judgment and decree, the parties bound, principal amount, costs certificates, lawful interest basis and every payment or adjustment. It is an accounting aid, not a new decree or proof that execution conditions are met.

2. PART A — PRINCIPAL: insert the actual decretal amount and operative monetary orders from [certified page]. The source ruling identifies KES 1,861,830 as taxed party-and-party costs, not as the whole principal judgment debt.

3. PART B — COSTS AND INTEREST: record the July 2024 taxation certificate and any further authorised costs separately. Calculate interest only at the rate, base and commencement date permitted by the actual order. Avoid compounding or merging costs into principal without authority.

4. PART C — CREDITS: enter verified payment dates, sums, allocation and proof of receipt. Record any lawful satisfaction or adjustment and the balance after each credit. A creditor must not pursue sums already satisfied merely because another application was dismissed.

5. PART D — ALLEGED COMPROMISE: identify the mediation agreement, separate-case judgment and any adoption order in this cause. Record their actual scope and verification status. The source Court found no proved registered and adopted compromise in this case.

6. PART E — EXECUTION STATUS: list notices, service proof, hearing dates and any stay or adjournment. Mark disputed and missing entries expressly. Present the reconciled balance and seek only the execution method lawfully available after the required court process.

DATED at [place] on [date]. Signed [party or advocate]. DRAWN AND FILED BY [name and address for service]. TO BE SERVED UPON [each affected person and address].

Use and evidence notes

This is an evidential or accounting aid, not an originating process or independent proof. Give dates, authors or custodians, admissibility status, actual document pages and transparent calculations. Label missing and disputed items. Obtain the applicable leave or directions for supplementary evidence, serve it and prevent duplicate credits or recovery.

Supporting material: [date]; [author or custodian]; [description]; [bundle page]; [authenticating witness]; [admission or permission]. Attach genuine records only. This public specimen contains no exhibits, signatures, personal identifiers or sworn declaration.

Source and procedural limits

After a 2019 judgment and a dismissed setting-aside application, the creditor extracted a decree and obtained taxed costs of KES 1,861,830. Debtors resisted execution by invoking a mediation agreement and a judgment in a separate suit. They sought stays and a declaration that the existing suit and consequential orders were compromised.

The High Court dismissed the January 2025 motion with costs. No mediation agreement had been proved registered and adopted as an order in this case. The requested substantive reversal also fell outside the limited correction and clarification exceptions to functus officio.

Use the Civil Procedure Act and the applicable execution, compromise, review or appeal process according to the exact relief. A separate-case judgment is not automatically an adopted settlement or recorded satisfaction of this decree. The source gives inconsistent company labels in the narrative; inspect original files rather than reproduce those labels as facts. Do not equate KES 1,861,830 taxed costs with the whole decree.

[2025] KEHC 7321 (KLR) - 23 May 2025. Source decision: https://sheriahub.com/cases/ke/caselaw/muhsin-v-ibrahim-3-others-2025-kehc-7321-klr

Reproduced primary text checked: https://sheriahub.com/cases/ke/caselaw/muhsin-v-ibrahim-3-others-2025-kehc-7321-klr

The original decision may identify participants. The specimen brackets identifying details. A source judgment does not prove this reconstruction was filed, an allegation succeeded, a later order remains unchanged or the same result will follow in another case.