

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KAKAMEGA

CIVIL APPEAL NO. 107 OF 2014

CHANNAN AGRICULTURAL CONTRACTORS.....1ST APPELLANT

WASWA MOURICE.....2ND APPELLANT

VERSUS

ERICK APOLLO ALIARO.....1ST RESPONDENT

JOYCE JULIA.....2ND RESPONDENT

(suing on behalf of the estate of Kennedy Henry Aliaro)

(Being an appeal from the judgment and decree of Principal Magistrate's Court, Butere delivered on 4th September 2014 in Civil Suit No. 1 of 2013)

RULING

1. The application dated 1st August 2017 seeks rectification of an error in a judgement that was delivered herein on 25th May 2017.
2. The court had adjusted the award of damages made by the trial court and arrived at a total of Kshs. 265, 756.80 after some calculations. The respondents argue that the correct total figure should have been Kshs. 310, 049.60.
3. I have looked through the judgement and worked out the calculations based on the figures worked out by the court, and I have arrived at a total of Kshs. 310, 049.60.
4. As the application is not opposed by the appellants, I shall allow it as prayed. Costs shall be in the cause.

DELIVERED, DATED AND SIGNED AT KAKAMEGA THIS 29th DAY OF April, 2019

W MUSYOKA

JUDGE