



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**CIVIL SUIT NO. 2657 OF 1989**

ROSELINE O. OWINO.....PLAINTIFF

-VERSUS-

CARE INTERNATIONAL IN KENYA.....1ST DEFENDANT

CHEPKOK TOROITICH.....2ND DEFENDANT

FREDRICK RADUL.....3RD DEFENDANT

PATRICIA RADUL.....4TH DEFENDANT

**JUDGMENT**

**Liability**

Judgement on liability has been entered in terms of 70% against the 1st, 2nd defendants and 30% against the 3rd and 4th defendants.

**Damages**

In assessing damages, I take into account the injuries sustained by the Plaintiff which according to the doctors report are:

- (1) Multiple injuries with a cerebral concussion
- (2) Dislocation of the left wrist
- (3) She is said to run the risk of developing epileptic fits.

I have considered the cases cited by the parties in support of each sides case and I award the sum of Ksh.400,000/- as general damages. The plaintiff shall be paid the special damages of Shs.1,600/- together with the costs of the suit and interest.

These sums shall be paid by the defendants in accordance with the proportions of their percentages of liabilities.

**Delivered and dated this 25th day of July, 2000.**

**KASANGA MULWA**

**JUDGE**