

REPUBLIC OF KENYA

IN THE COURT OF APPEAL
AT MOMBASA
(CORAM: GICHERU, OMOLO & LAKHA JJ.A)
CIVIL APPEAL NO.122 OF 1997

BETWEEN

JOHNSTONE K.
MWANGO.....APPELLANT
AND
AFRICAN SAFARI CLUB LTD.....RESPONDENT

(Appeal from the judgment of the High Court of Kenya at
Mombasa (Justice Ang'awa) dated 17th March, 1997

in
CIVIL APPEAL NO. 94 OF 1995)

JUDGMENT OF THE COURT

This is an appeal from the judgment of the superior court dismissing the appellant's appeal from the decision of the Chief Magistrate's Court seeking an award of Shs.21,560/45 arising from his alleged dismissal.

We see no merit in this appeal. No general damages can be awarded for a breach of contract. The appellant has been fortunate in the award made in his favour.

On our part upon a careful consideration of this matter we are left with no alternative but to dismiss this appeal with costs.

Dated and delivered at Mombasa this 18th day of July, 1997.

J.E. GICHERU

.....

JUDGE OF APPEAL

R.S.C. OMOLO

.....

JUDGE OF APPEAL

A.A. LAKHA

.....

JUDGE OF APPEAL

I certify that this is a true copy of the original.

DEPUTY REGISTRAR