



**Kerna v Dreamline Express Limited & another (Civil Appeal
88 of 2019) [2026] KEHC 325 (KLR) (22 January 2026) (Judgment)**

Neutral citation: [2026] KEHC 325 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CIVIL APPEAL 88 OF 2019
SM MOHOCHI, J
JANUARY 22, 2026**

BETWEEN

VICTOR MISATI KERNA APPELLANT

AND

DREAMLINE EXPRESS LIMITED 1ST RESPONDENT

MICHAEL MUTHIRI KUSONGA 2ND RESPONDENT

JUDGMENT

1. Appeal is undefended.
 2. Service of the appeal was proper.
 3. The Court is duty bound to examine the appeal notwithstanding it having been undefended and finds that the Trial Court did not actually err on Quantum granted general damages at Kshs.800, 000.
 4. This Court finds basis to disturb this award and hereby substitute the same with a fresh award. The award was inordinately low, a general damages award assessed at Kshs.3 million.
 5. The Judgment/Decree entered in CMCC No.513 of 2017 at Nakuru is hereby set aside and replaced with an award of:
General Damages - Kshs.3,000,000/=
Special Damages - Kshs. 8,050/=
Kshs. 3,008,050/=
- It is so ordered.

DATED, SIGNED AND DELIVERED AT NAKURU ON THIS 22ND DAY OF JANUARY 2026



MOHOCHI S.M.
JUDGE

