



**Shinyanga v Wanjiku (Civil Appeal E058 of 2024)
[2026] KEHC 450 (KLR) (Civ) (26 January 2026) (Judgment)**

Neutral citation: [2026] KEHC 450 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

CIVIL

CIVIL APPEAL E058 OF 2024

LP KASSAN, J

JANUARY 26, 2026

BETWEEN

MAGDALENE WANGUI SHINYANGA APPELLANT

AND

ANTHONY NDUNGU WANJIKU RESPONDENT

JUDGMENT

1. This is an appeal against an award of Ksh 850,000 as general damages by the Lower Court. In determining if this award is excessive or not, this Court must evaluate the evidence, look at the injuries sustained and take into consideration authorities with similar/ more or less the same injuries Dr Wambugu said in his report dated the 25th day of November 2019 that the Respondent suffered blunt impact injuries on the chest, multiple fractured ribs on both sides and lung contusion. In total, 9 ribs were broken. The trial magistrate awarded the Plaintiff Ksh 850,000- this is certainly not excessive given the injuries sustained.
2. The upshot of the above is that the appeal is dismissed with costs.

DATED, DELIVERED VIRTUALLY AND SIGNED ON THIS 26TH DAY OF JANUARY 2026.

HON L P KASSAN

JUDGE

In the presence of;

Oduor holding brief Modi for Appellant

No appearance for Respondent

Carol – Court Assistant

