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REPUBLIC OF MALAWI
IN THE HIGH COURT OF MALAWI
PRINCIPAL REGISTRAR

PERSONAL INJURY CAUSE NO 426 OF 2018

BETWEEN

ESTHER BERNARD ZAWANDA (suing on behalf of the Estate and Dependents of the
ISAAC BERNARD
(Deceased).....CLAIMANT

-AND-

DR TITHA DZOWERA.....1st DEFENDANT
CHRISTIAN HEALTH ASSOCIATION OF
MALAWI.....2nd DEFENDANT

CORAM: Texious Masoamphambe, Deputy Registrar
Mr Felix Tandwe, Counsel for the Claimant
Counsel for the Defendant, not in attendance,
Mr Chitatu, Official Interpreter

ASSESSMENT ORDER

BACKGROUND

This is Court's order on assessment of damages pursuant to default judgement entered on 9th October 2018 against the Defendants. The Claimant is claiming damages for loss of expectation of life of the deceased, loss of dependency and legal costs.

The claim did not proceed to trial as the Claimant filed an application for default judgement under order 12 rules 6 and 7 of Courts (High Court) (Civil Procedure) Rules 2017 on 4th October 2018, due to the Defendant's failure to file a response and defence within prescribed periods of 14 days and 28 days respectively. Default judgement was entered on 9th October 2018 and the Court ordered assessment of damages.

Assessment of damages was initially placed for hearing on 19th December 2018 but was adjourned to 17th January 2019 on Claimant's application. The Court convened on 17th January 2019 and

