

IN THE HIGH COURT OF MALAWI

PRINCIPAL REGISTRY

CIVIL CAUSE NO.156 OF 1993

BETWEEN:

S. SAMUTENI (FEMALE) PLAINTIFF

- and -

THE ATTORNEY GENERAL DEFENDANT

CORAM: MWAUNGULU, REGISTRAR

Maulidi, Counsel for the Plaintiff
Namboya, State Advocate, for the Defendant

O R D E R

The plaintiff, a widow, is claiming loss of dependency under section 7 of the Statute Law (Miscellaneous Provisions) Act for herself, her five children and a sister-in-law.

The plaintiff's husband died in a road accident on the 6th of October, 1990. Judgment was obtained in default of notice of intention to defend.

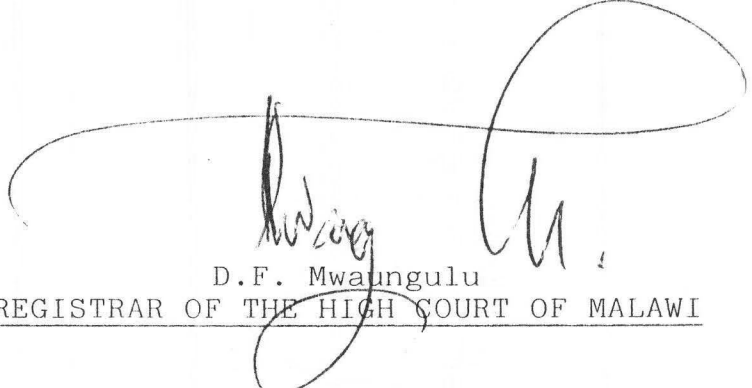
The deceased was a member of Malawi Police Force. He died at the age of 41. He should have retired at the age of 50. His gross salary was K2,172,00 per annum. It was K2,067.96 after deductions for tax. The dependency is agreed at $\frac{2}{3}$. This means K1,378.64 was spent on the family.

I award K13,780.00 for loss of dependency. The money should be distributed as follows:

The Widow	K4,000.00
The sister-in-law	K780.00
Enock Samuteni	K1,200.00
Stella Samuteni	K1,500.00

Phillip Samuteni	K1,800.00
Thokozani Samuteni	K2,100.00
Edith Samuteni	K2,400.00

MADE in Chambers this 6th day of October, 1993 at
Blantyre.



D.F. Mwaungulu
REGISTRAR OF THE HIGH COURT OF MALAWI