



MALAWI JUDICIARY

IN THE HIGH COURT OF MALAWI
SITTING AT BLANTYRE PRINCIPAL REGISTRY
PERSONAL INJURY CAUSE NO. 931 OF 2014



BETWEEN

MIRRIAM MAKHUVA,
an Infant, **suing through Justin Makhuva**
her Father and Next Friend..... **PLAINTIFF**

and

PETER K MVALO**1ST DEFENDANT**
PRIME INSURANCE CO LTD**2ND DEFENDANT**

CORAM : **HIS HON. N. USIWA USIWA**..... **DEPUTY REGISTRAR**
Mr. L Ulaya of Counsel for the Plaintiff/Applicant
ABSENT..... of Counsel for the Defendant/Respondent
Mrs D Mtegha**Official Interpreter**

ORDER ON ASSESSMENT OF DAMAGES

Earlier **today** this matter came for assessment of damages. The Defendants' Counsel was absent despite proof of service tendered by the Plaintiff's Counsel.

During the assessment LEKERENI MAKHUVA, mother to Mirriam paraded before me a seven year old girl, who she said has feats of unruly behaviour due to an accident. The scars on her head spoke louder than the mother's testimony. She is a victim of the accident that happened as follows.

On 21st June, 2014, along the Limbe-Thyolo Road near Chigumula H.M.S Company, a motor vehicle registration number NB 3760 hit and injured a then five-year old Mirriam.

As a result of being hit by the vehicle she sustained injuries. She was treated for various injuries which she sustained during the said accident, including several head injuries , epidural hematoma, swelling of the brain due to blood clots. She also underwent surgery, a procedure called burr hole on her head and also blood



