Appellate Schedule Reconciling Child Injury Awards and Future Cost Evidence

Educational sample 500 | Malindi

Educational reconstruction from a reported Kenyan decision. Newly drafted wording, not an original court filing or a matter handled by our team. Specimen identities are bracketed. Adapt to genuine facts, current law, jurisdiction and court directions before signing, swearing or filing.

Reconstructed formal document

REPUBLIC OF KENYA

IN THE HIGH COURT AT MALINDI

CIVIL APPEAL NO [reference]

[APPELLANT] v [RESPONDENT]

EVIDENCE OR COMPUTATION SCHEDULE

1. Identify each trial award from the certified decree: liability basis, pain and suffering, future treatment, diminished earning capacity, special expenses, costs and interest. Record the pleaded head and admitted evidence page for each.

2. For pain compensation, index the proved injuries, imaging, functional effects and competing prognoses. Distinguish the existence of an injury from the separate question whether a discretionary award meets the appellate interference threshold.

3. For future treatment, list [recommended intervention], [necessity witness], [unit rate], [frequency], [duration], [documentary costing source] and [calculation]. Mark unsupported rates and recommendations expressly; a blank cost source must not be disguised by a total.

4. For earning capacity, record the actual pleaded basis, prognosis and functional evidence. Do not assign a hypothetical profession or salary to the minor without admitted evidence and a legally supported valuation approach.

5. Reconcile the operative appellate result: in the source, KES 650,000 pain damages and KES 5,800 special damages remained, while KES 198,000 future treatment and KES 350,000 earning capacity were removed. The resulting principal is KES 655,800, subject to the certified decree and surviving terms.

6. Record the actual appeal costs order and any later payment, variation or stay. This schedule introduces no fresh evidence and authorises no withdrawal of a minor award; receipt, investment and compromise require the applicable protective court procedure.

DATED at [place] on [date]. Signed [party or advocate]. DRAWN AND FILED BY [name and address for service]. TO BE SERVED UPON [each affected person and address].

Use and evidence notes

This is an evidential or accounting aid, not an originating process or independent proof. Give dates, authors or custodians, admissibility status, actual document pages and transparent calculations. Label missing and disputed items. Obtain the applicable leave or directions for supplementary evidence, serve it and prevent duplicate credits or recovery.

Supporting material: [date]; [author or custodian]; [description]; [bundle page]; [authenticating witness]; [admission or permission]. Attach genuine records only. This public specimen contains no exhibits, signatures, personal identifiers or sworn declaration.

Source and procedural limits

A child injured as a motorcycle pillion passenger on the Kilifi–Malindi road suffered a femur fracture, knee stiffness and limb shortening. The trial awarded pain damages, future treatment and diminished earning capacity. Medical witnesses disagreed on prognosis and permanent effects. Both parties challenged quantum.

The High Court maintained KES 650,000 pain and suffering and the other unaffected awards, but set aside KES 198,000 future medical expenses and KES 350,000 diminished earning capacity. The main appeal partly succeeded and the cross-appeal failed; no appeal costs were ordered. Treatment costs lacked adequate supporting evidence.

The appellate issue was quantum, not a fresh liability trial. General injury compensation and proof of future expense are separate inquiries. A medical report must explain expertise and the cost basis; a new quote cannot be added through submissions. The report does not identify the trial court station, so these five samples are confined to the verified Malindi appellate stage.

[2025] KEHC 10373 (KLR) - 11 July 2025. Source decision: https://new.kenyalaw.org/akn/ke/judgment/kehc/2025/10373/eng@2025-07-11

Reproduced primary text checked: https://sheriahub.com/cases/ke/caselaw/laria-v-hjs-minor-suing-through-her-father-and-next-friend-jsm-2025-kehc-10373-klr

The original decision may identify participants. The specimen brackets identifying details. A source judgment does not prove this reconstruction was filed, an allegation succeeded, a later order remains unchanged or the same result will follow in another case.