**Abdullahi v Githinye**

**Division:** High Court of Kenya at Nairobi

**Date of judgment:** 24 October 1973

**Case Number:** 2029/1972 (43/74)

**Before:** Kneller J

**Sourced by:** LawAfrica

*[1] Damages – Fatal accident – Young child – Probability of pecuniary benefit to be established.*

**Editor’s Summary**

The plaintiff’s seven-year-old daughter was killed in an accident for which the defendant was found responsible.

The plaintiff alleged that his daughter was healthy and intelligent and that it had been planned that she would become a doctor, that she would contribute to their expenses, and that she helped in the house.

**Held –**

(i) There must be more than a mere possibility of benefit: it must be established that there was a reasonable expectation of pecuniary benefit;

(ii) on the facts a reasonable expectation had been established and Shs. 8,000/- would be awarded.

Judgment for the plaintiff.

**Cases referred to Judgment:**

(1) *Barnett v. Cohen*, [1921] 2 K. B. 461.

(2) *Buckland v. Guildford Gas Light & Coke Co*., [1949] K.B. 410.