



MOUNT KENYA UNIVERSITY

**EFFECTIVENESS OF AWARDING DAMAGES IN RELATION TO TORTS AND  
CONTRACTS IN KENYA.**

**BY**

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**BLAW/NRP/103/0061**



**A Research Project Submitted To Mount Kenya University in Partial Fulfillment for  
The Requirement of the Award of a Degree in Bachelor of Law.**

**JULY 2013**

## ABSTRACT

The subject of awarding damages has increasingly become important in the world today, especially due to the never ending but human interactions with other fellow human beings and the possibility of term disagreeing or competing or accidents that may occur during their day to day activities as they work hard to provide or live better life's thereby injuring their fellow human beings. Through litigation as a mode as a court dispute resolution method people are able to seek the court process as a way of enforcing their legal rights thereby seeking a legal remedy to return them back to the position they were before the wrongful act took place or occurred. The increasing concern is how effective and which methods thereof are applied are applied by courts in awarding damages despite the quick pace of seeking compensation and awarding damages. This study examines Kenya in particular as opposed to other jurisdictions in general but appreciating common law as part of the major sources of law in Kenya .it looks into the positive as well as the negative aspects of Kenyan judiciary in civil suits as well as implementations and consideration of civil laws and assessment of damages. In addition, it offers suggestions to improve the areas in which the courts fall short .It further concludes that compliance of litigants and effectiveness of civil laws as well as the Kenyan laws and the judiciary system are for Kenya's own benefit.