

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE COURT OF APPEAL

Civ. App. No. 146 of 2003

BETWEEN

MARIO'S PIZZERIA LIMITED

Defendant/Appellant

AND

JUDGMENT

Delivered by Kangaloo J.A.

1. This is an appeal arising out of

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12. The terms general and special damage have different meanings depending on the case.

_____ says:

“If there be any special damage which is attributable to the tortious act, it is recoverable as special damage.”

15. The reasoning is that in the former, general damages includes losses the amount for which the law will not presume since this is capable of

18. However there are other considerations. The chief such consideration is that the respondent made absolutely

21. I am therefore of the view that the respondent cannot recover both the

the double vision. I can't make with the driving then." His evidence in cross-examination was that he made five to six trips before the accident. Using the figures of two trips after the accident and five trips before the accident gives a 60% reduction in his ability to drive a maxi taxi as required. The learned Master did find, as she was entitled, having seen and heard the

26. Finally on this issue I would only wish to reiterate what I said in **Peter Seepersad v Theophilus Persad & Capital Insurance** Civ. App. 136 of **9000** (unreported) (Peter Seepersad

The Plaintiff did not explain the reason for working only two or three

keeping with what was the trend locally, I used a multiplier of 10 which I acknowledged to be somewhat arbitrary. The Privy Council increased it to 16, which at the time was very high for a 37 year old in this jurisdiction. However that being the bar set, I would think that a multiplier of 9 is more appropriate to the circumstances of the respondent. Again I say the choice of

