



THE REPUBLIC OF UGANDA
IN THE CHIEF MAGISTRATE'S COURT OF PALLISA HOLDEN AT PALLISA
(Sitting as a Family and Children Court)

FCC CAUSE NO. 003 OF 2026

**IN THE MATTER OF AN APPLICATION FOR MAINTENANCE OF ASIIMWE
KATOOKO ANABELE (A MINOR)**

TUMUHIKI HONESTY..... APPLICANT

VERSUS

BEDEDE STEVEN (also referred to in these proceedings as PEDEDE STEPHEN)
 RESPONDENT

RULING

This is an application brought by Tumuhiki Honesty ("the applicant") against Bedede Steven, also referred to in the record as Pedede Stephen ("the respondent"), under the Children Act, Cap 62, for orders that the respondent maintains their child, Asiimwe Katooko Anabele, a girl aged approximately four years, together with costs of the application and any other relief this Court deems fit.

BACKGROUND

The applicant's case, as set out in her Notice of Motion, affidavit in support and oral evidence, is that she met the respondent in 2021 while posted as a Prisons Wardress in Apac District, that they became intimate and began cohabiting, and that she conceived that same year. She testified that the respondent supported her during the pregnancy up to about the seventh month, after which his support tailed off. She gave birth to Asiimwe Katooko Anabele by caesarean section in April 2022 in Kampala, suffered post-natal complications requiring further hospital care, and returned to duty in Apac about four months later, at which point she took the child to the respondent, who provided for mother and child for a further three months before stopping altogether. She testified that thereafter the respondent's support was sporadic — occasional visits with foodstuffs, occasional remittances of UGX 100,000/= and similar sums, including UGX 100,000/= sent in 2025 when the child was due to start school — and that he did not respond meaningfully to her repeated requests for support, including through the Pallisa Police Family



Protection Unit and the Family and Child Protection Desk, where the respondent was invited but failed to appear. She testified that she currently has custody of the child, cares for her together with a younger half-sibling born in 2026, and that the respondent has not been denied access to the child.

The respondent's case, as set out in his affidavit in reply, is twofold. First, he raised preliminary objections that the application was filed in the wrong court and in the wrong name. Second, and without prejudice to those objections, he admitted the substance of the relationship and the birth of the child, but denied that he had neglected his obligations, averring that he had contributed UGX 500,000/= at the time of the child's birth, UGX 100,000/= towards transport, UGX 400,000/= towards school requirements, and other sums from time to time, and that he had continued to attempt to see the child. He denied being a man of means, describing himself as a peasant farmer, while the applicant maintained in cross-examination that she knew him as a businessman operating a produce store in Mbale, which she had visited. The respondent prayed that he be granted access to the child, that the parties share responsibility for her upkeep, and that the application be dismissed with costs as incompetent.

On 29th June 2026 the matter proceeded to hearing, at which the applicant testified as PW1 and was cross-examined. The parties thereafter attempted, with the encouragement of this Court, to settle the question of maintenance between themselves as adults, each tabling proposed figures. No agreement was reached. On 13th July 2026, having recorded that the parties had failed to resolve the matter, this Court reserved it for ruling.

PRELIMINARY OBJECTIONS

The respondent's first objection is that the application, having been headed "IN THE CHIEF MAGISTRATE'S COURT OF PALLISA HOLDEN AT PALLISA," was filed in a court without power to handle it, and ought instead to have been filed in the Family and Children Court of Pallisa. This objection is misconceived. The cause was registered and has proceeded throughout as an FCC Cause, and this Court, presided over by a Magistrate Grade I, is properly seized of jurisdiction to hear and determine applications for maintenance of children under the Children Act. No separate or distinct court building or bench is required for that jurisdiction to be exercised; it is this Court, sitting as a Family and Children Court, that has heard this cause from its filing to its conclusion. The objection is overruled.

The respondent's second objection is that his name was given as "Bedede Steven" rather than his correct name, "Pedede Stephen," rendering the application incompetent. This is, at most, a misnomer. The respondent was served, understood precisely which matter and which child he was answering to, instructed counsel, filed a detailed affidavit in reply engaging fully with the



merits, and has participated throughout without any suggestion that he was misled or prejudiced as to his identity or the case he had to meet. A misnomer of this kind, involving phonetically similar names, does not go to the jurisdiction of the Court or the competence of the application where, as here, the identity of the party intended is not genuinely in doubt. The objection is overruled. The Court directs that the record be amended to reflect the respondent's correct name, Pedede Stephen, for all purposes going forward.

ISSUES

1. Whether the respondent is liable to maintain the child, Asiimwe Katooko Anabele.
2. What orders should be made as to custody, access, and the quantum of maintenance.

RESOLUTION OF ISSUE ONE — LIABILITY TO MAINTAIN

Parentage was at no stage seriously placed in issue. The respondent's own affidavit admits the relationship and the birth of the child, and admits to having made payments toward her upkeep at various times — **at birth, for transport, and toward school** requirements. His own account describes him asking that the child be "brought" to him, expressing willingness to see her, and requesting access. This is the language and conduct of an acknowledging parent, not a denial of paternity. No party called for or tendered scientific proof of parentage, and none was necessary, since the respondent's own pleadings and conduct amount to an admission.

Section 5 of the Children Act imposes on every parent the duty and responsibility to maintain their child, and this duty is not conditional upon the parents' relationship having subsisted or upon the child living with the parent in question. This Court finds that the respondent is the father of Asiimwe Katooko Anabele and is liable, jointly with the applicant, to maintain her.

RESOLUTION OF ISSUE TWO — CUSTODY, ACCESS AND MAINTENANCE

On custody, the child has at all material times remained in the applicant's care, there is no evidence that the applicant is unfit or that the child's welfare is at risk in her custody, and the respondent has not sought custody but only access. Guided by the paramountcy of the child's welfare under section 3 and the First Schedule of the Children Act, and by the desirability of stability for a child of tender years, this Court finds that custody should remain with the applicant.

On access, the applicant has not denied the respondent access to the child, and there is no reason in the evidence to restrict it. It is in the child's interest to know and maintain a relationship with her father. The respondent shall have reasonable access to the child, to be exercised by prior arrangement with the applicant and at reasonable times that do not disrupt the child's schooling.



On the quantum of maintenance, this Court has weighed the applicant's proposal against the respondent's own counter-proposal, both tabled during the parties' attempts to settle before this Court, together with the evidence of the parties' respective means. The applicant is in formal employment, earning approximately UGX 460,000/= per month, and has offered to bear the child's shelter and clothing needs herself. The respondent has described himself as a peasant farmer, a characterisation contradicted by the applicant's uncontroverted evidence that he operates a produce store in Mbale which she has personally visited, and this Court accordingly does not accept that he lacks the means to contribute meaningfully. At the same time, the respondent's evident additional family responsibilities are a relevant, though not determinative, factor bearing on what is reasonable, as against the paramount need to secure this particular child's welfare.

Balancing these considerations, this Court fixes the respondent's monthly and periodic contributions as follows, without prejudice to either party applying for variation on proof of a material change in circumstances.

ORDERS

1. The respondent, Pedede Stephen (also known in these proceedings as Bedede Steven), is declared to be the father of, and liable to maintain, the child **Asiimwe Katooko Anabele**.
2. **Custody** of the child is granted to **the applicant**, with reasonable access to the respondent to be exercised by prior arrangement with the applicant.
3. The **respondent shall pay school fees and scholastic requirements** for the child directly to her school, or to the Court on production of the school's fees structure/invoice, in the sum of **UGX 200,000/= per term**.
4. The respondent shall **contribute UGX 150,000/= per month** towards the child's **feeding** and general upkeep, payable to the Court not later than the 5th day of each month.
5. Medical expenses for the child shall be borne by the respondent as **to 70% and the applicant as to 30%**, as and when the need arises, upon production of receipts or a medical bill; the respondent's share shall be paid to the Court as provided in paragraph 7 below.
6. The applicant shall continue to provide **the child's shelter and clothing**, as she herself proposed.
7. All sums payable by the respondent under paragraphs 3, 4 and 5 above shall be paid into and through this Court, which shall cause them to be remitted to the applicant; the respondent shall not pay these sums directly to the applicant.



8. This order shall take effect from the month following delivery of this ruling and shall remain in force until the child attains eighteen years of age or until varied by this Court on application by either party.

9. The respondent shall pay the costs of this application.

It is so ordered.

A handwritten signature in black ink, appearing to be "H/W KYEMBE KARIM", written over a horizontal line.

HIS WORSHIP KYEMBE KARIM

MAGISTRATE

CHIEF MAGISTRATE'S COURT OF PALLISA (FAMILY AND CHILDREN COURT)

DATE: __15TH JULY 2026_____