

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT KAMPALA
FAMILY CAUSE NO 029 OF 2006
IN THE MATTER OF THE CHILDREN'S ACT (CAP.9)

AND

IN THE MATTER OF AN APPLICATION FOR A GUARDIANSHIP ORDER BY ASIIMWE
ADIDAS (FATHER)

IN THE MATTER OF ASABA JUNIOR (17 YEARS), KOBUSINGYE SYLVIA (15 YEARS),
KATUSIIME LILIAN (14 YEARS), BIHEMAISO ISINGOMA (13 YEARS) AND BAGUMA
KEITH (5 YEARS)

BEFORE: HON. MR. JUSTICE ELDAD MWANGUSYA:

RULING:

This is an application for legal guardianship by ASIIMWE ADIDAS for ASABA JUNIOR, aged 17 years, KOBUSINGYE SYLVIA, aged 15 years, KATUSIIME LILIAN, aged 14 years, BIHEMAISO ISINGOMA, aged 13 years and BAGUMA KEITH, aged 5 years. The applicant and all the minors attended the hearing of this application.

The brief background to this application is that the applicant is the biological father of all the minors. The applicant and the minors are registered as joint tenants on leasehold register volume 3060 Folio 15 Land described as plot 17 Magungu Lake Masindi Town. As a result of the applicants failure to raise school fees for all these minors, he intends to mortgage the property so that he can obtain funds for investment for the purpose of raising school fees so that the minors can further their Education. He cannot deal in this property unless he has got a guardianship order for the other joint tenants who are all minors.

As rightly pointed out by Mr. Tugume Moses, counsel for the applicant, the guiding principle under S.3 of the Children Act the welfare of the children, the subject of an application of this nature. These children need Education and it is in their own interest that their father raised funds to cater for their educational and other needs.

In the circumstances this application will be granted and ASIIMWE ADIDAS is appointed guardian of ASABA JUNIOR, KOBUSINGYE SYLVIA, KATUSIIME LILIAN, BIHEMAISO ISINGOMA and BAGUMA KEITH to enable him mortgage the property leasehold register volume 3060 Folio 15 plot 17 Magungu Lake Masindi.

The applicant will meet the costs of the application.

Eldad Mwangusya

JUDGE

19/4/2006

Kugonza Enoch holding brief for Tugume Joseph for the Applicant.

Ruling read in open court.

J.O. Arutu

AG. REGISTRAR FAMILY