

**THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT JINJA**

**MISCELLANEOUS APPLICATION No. 229 OF 2017
(Arising From Miscellaneous Cause No. 20 Of 2016)
(Arising From Civil Suit No. 104 Of 2016)**

**1. KIRABO ANNET
2. BUSINGYE KELLEN
APPLICANTS**

=====

VERSUS

**1. NAMUGANGA MILLIAN KAYAGA
2. ANDREW SSONKO** ===== **RESPONDENTS**

BEFORE: HON. JUSTICE MICHAEL ELUBU

RULING

I have listened to the application for a certificate of urgency to have this matter heard during the pendency of the long court vacation for 2017.

Under Rules 3 and 4 of **The Judicature (Court Vacation) Rules S.1 13 – 20** a presiding Judge may hear such civil business which in his opinion is of an urgent nature.

The instant application relates to a matter determining the welfare of a number of minors. The longer it remains unresolved, then the longer their welfare is jeopardised.

Under S.3 of **The Children's Act**, the welfare principle shall be the paramount consideration when handling, among others, matters relating to the upbringing of a child.

The court is also under a duty to be mindful of time when dealing with matters touching children (see 4th Schedule Clause 4 of **The Children Act Cap 59.**)

For the above reason I am satisfied that the urgent need has been established and Jinja M.C. No 20/2011 shall be heard during the pendency of this court vacation.

Application is allowed.



.....
MICHAEL ELUBU

JUDGE

8/8/2017