



**DAA v JPO (Petition E001 of 2025) [2025] KEHC 9885 (KLR) (4 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 9885 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT BUSIA  
PETITION E001 OF 2025**

**WM MUSYOKA, J**

**JULY 4, 2025**

**BETWEEN**

**DAA ..... PETITIONER**

**AND**

**JPO ..... RESPONDENT**

**RULING**

1. What I am called upon to decide is the Motion dated 7<sup>th</sup> May 2025, and not 13<sup>th</sup> May 2025, as indicated in my ruling/directions of 13<sup>th</sup> May 2025.
2. The Motion seeks orders to compel the respondent to meet the educational needs of the minors, the subject of the suit; and to be compelled to submit for deoxyribonucleic acid (DNA) testing, to determine paternity, with respect to the two minors.
3. The background, given by the appellant, is that she and the respondent cohabited, and during that cohabitation the two minors were born, in 2021. The certificates of birth, for the two minors, are exhibited, but they disclosed only the name of the mother and not the father of the minors. It is said that the respondent is the father, but he has shirked his parental responsibilities, and has denied paternity, hence the suit and the application.
4. When the matter was first placed before me, on 13<sup>th</sup> May 2025, I directed that the same be served. When it came up, again, on 21<sup>st</sup> May 2025, Ms. Muinde for the applicant, indicated that she had served the papers. The record has several affidavits of service, with respect to service of court process on the respondent, at various times. I am satisfied that the respondent was properly served.
5. There is no response on record, to the petition and the application. As the Application, dated May 7, 2025, is unopposed, I hereby grant it as prayed. Orders accordingly.

**DELIVERED, DATED AND SIGNED, IN OPEN COURT, AT BUSIA, ON THIS 4<sup>TH</sup> DAY OF JULY 2025.**



**WM MUSYOKA**

**JUDGE**

Mr. Arthur Etyang, Court Assistant.

Advocates

Ms. Muinde, instructed by Kinoti Kimathi & Company, Advocates for the Applicant.

