



**PJC v JCL (Children's Case E149 of 2023) [2025] KEMC 95 (KLR) (15 May 2025) (Ruling)**

Neutral citation: [2025] KEMC 95 (KLR)

**REPUBLIC OF KENYA  
IN THE NAKURU LAW COURTS  
CHILDREN'S CASE E149 OF 2023  
PA NDEGE, SPM  
MAY 15, 2025**

**BETWEEN**

**PJC ..... PLAINTIFF**

**AND**

**JCL ..... DEFENDANT**

**RULING**

1. This ruling concerns the Plaintiff's application seeking enforcement of child maintenance orders and institution of contempt of court proceedings against the Defendant/Respondent. In the application dated 12/11/2025, the applicant preliminarily prays that pending the hearing and determination of this application, this Honourable Court be pleased to issue summons to the Defendant to show cause why he should not be cited and held liable for contempt of the Court Orders issued on 25/04/2024. The Applicant avers that despite clear orders requiring the Respondent to provide financial support, he has refused or neglected to fulfil his obligation, thereby necessitating court intervention.
2. The Respondent had previously doubted paternity, thereby delaying the proceedings herein, and was ordered to present himself for DNA testing. Despite this directive, he consistently failed to comply initially. However, following a subsequent court order, he ultimately undertook the test, which confirmed that he is the father of the child herein.
3. Following the paternity confirmation, his counsel prayed for time for him to settle the claim noting that the doubt on paternity had now been allayed. This court issued an order on 25<sup>th</sup> April 2025, directing the respondent to commence regular maintenance payment for the benefit of the minors but to date the respondent has wilfully and continuously failed to comply with the said orders. Contrary to the undertaking and the court order, the defendant is still yet to settle the claim and his counsel appear frustrated.
4. Thus, this is a straight forward case of blatant disregard or disobedience of the court orders herein. I thus do hereby set these contempt proceedings against him in motion and I do summon the Defendant



to show cause why he should not be cited and held liable for contempt of court orders issued on 25/04/2024.

**DATED, SIGNED AND DELIVERED AT NAKURU THIS 15th DAY OF May 2025**

**ALOYCE-PETER-NDEGE**

**SENIOR PRINCIPAL MAGISTRATE**

In the presence of;

Plaintiff's Counsel: Munyoroko

Defendant's counsel: Kiplagat

Plaintiff: N/A

Defendant: N/A

Minor: N/A

Munyoroko: We take a date and the defendant to be physically present in court

Kiplagat: We can have a date.

CT: Summons to issue to the defendant who should attend court physically. These contempt proceedings are quasi-criminal in nature and the defendant's attendance must be personal just like in criminal case. Mn. 13/11/25.

