Maintenance Arrears Schedule After a Partial Child Case Appeal

Educational sample 375 | Mombasa

Educational reconstruction from a reported Kenyan decision. Newly drafted wording, not an original court filing or a matter handled by our team. Specimen identities are bracketed. Adapt to genuine facts, current law, jurisdiction and court directions before signing, swearing or filing.

Reconstructed formal document

REPUBLIC OF KENYA

IN THE HIGH COURT AT MOMBASA

APPEAL NO [reference]

[APPELLANT] v [RESPONDENT]

EVIDENCE OR COMPUTATION SCHEDULE

1. This compliance schedule is prepared against the certified appellate order dated [date]. The source disposition retained KES 50,000 monthly maintenance and required arrears paid forthwith. Insert the actual commencement date and any later variation before calculating a balance; neither date is supplied by this specimen.

2. For each month enter the sum ordered, due date, actual payment date, amount received, receipt or transaction reference and running balance. KES 50,000 multiplied by verified unpaid months is the starting calculation only; it must be reconciled against every genuine credit.

3. Allocate a payment to the obligation it actually satisfied. Do not count a school-fee or medical payment twice, assume it discharges a distinct monthly obligation, or disregard a payment because the parents dispute an unrelated adult property claim. Record disputed allocations with their documentary basis.

4. Exclude the adult KES 35,000 monthly resettlement, rent-arrears and household-item orders set aside in the source appeal. Identify retained education obligations separately because the appellate ruling did not replace them with an automatic equal-share rule.

5. Attach or identify genuine proof through the authorised procedure: certified orders, payment records and an accurate account. Protect the child identity and sensitive bank details in any public copy. This schedule is not itself an affidavit, execution order or proof of nonpayment.

6. Present the reconciled outstanding maintenance at [amount] and the cut-off date [date]. Obtain the actual court directions for enforcement, service and any factual dispute. Do not include interest, penalties or coercive relief that the operative order and applicable law do not authorise.

DATED at [place] on [date]. Signed [party or advocate]. DRAWN AND FILED BY [name and address for service]. TO BE SERVED UPON [each affected person and address].

Use and evidence notes

This is an evidential or accounting aid, not an originating process or independent proof. Give dates, authors or custodians, admissibility status, actual document pages and transparent calculations. Label missing and disputed items. Obtain the applicable leave or directions for supplementary evidence, serve it and prevent duplicate credits or recovery.

Supporting material: [date]; [author or custodian]; [description]; [bundle page]; [authenticating witness]; [admission or permission]. Attach genuine records only. This public specimen contains no exhibits, signatures, personal identifiers or sworn declaration.

Source and procedural limits

A parent appealed a children-case judgment requiring monthly upkeep, education, resettlement, rent arrears and household items. The parties disputed relocation and ownership of the adult belongings. The father accepted KES 50,000 monthly child upkeep but sought equal sharing of education expenses. The mother relied on the child welfare and the parents differing financial means.

The High Court set aside KES 35,000 monthly resettlement for one year, adult rent arrears and household-item orders. It retained KES 50,000 monthly maintenance, ordered outstanding maintenance paid forthwith, and upheld education and custody orders. Each party bore their own costs. Equal parental responsibility did not require identical monetary contributions.

Apply Constitution article 53 and Children Act 2022 sections 8 and 32. Distinguish child welfare from adult property claims, pleaded relief from an omnibus prayer, and parental means from automatic fifty-fifty contribution. Paragraph 1 describes shelter ambiguously; the operative paragraph 55 specifies the resettlement amount per month. Check the certified order. No new child identity or financial evidence is invented.

[2025] KEHC 13064 (KLR) - 19 September 2025. Source decision: https://sheriahub.com/cases/ke/caselaw/hdws-v-can-2025-kehc-13064-klr

Reproduced primary text checked: https://sheriahub.com/cases/ke/caselaw/hdws-v-can-2025-kehc-13064-klr

The original decision may identify participants. The specimen brackets identifying details. A source judgment does not prove this reconstruction was filed, an allegation succeeded, a later order remains unchanged or the same result will follow in another case.