



**ADC v DPN (Divorce Cause 178 of 2014)
[2022] KEHC 14363 (KLR) (Family) (27 October 2022) (Ruling)**

Neutral citation: [2022] KEHC 14363 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
DIVORCE CAUSE 178 OF 2014
AO MUCHELULE, J
OCTOBER 27, 2022**

BETWEEN

ADC PETITIONER

AND

DPN RESPONDENT

RULING

1. On March 27, 2019 this court found the respondent/applicant DPN guilty of contempt of the court orders and asked him to personally appear before court to show cause why he should not be punished in accordance with the law. There has been no stay of the orders, and the applicant has never cared to appear personally as ordered. The contempt has not been purged. The court is being made helpless, something that should be avoided in all circumstances if the streams of justice have to be kept clear and clean, and the rule of law respected by all.
2. I note that the applicant appealed against the orders of this court that found him to be in contempt. The appeal is pending, but his bid to have the orders stayed until the appeal is heard and determined failed on November 22, 2019.
3. The applicant’s application dated May 12, 2022 seeks that the respondent’s notice to show cause dated February 21, 2020 be struck out with costs.
4. Until the applicant has personally appeared as ordered on March 27, 2019, or has purged the contempt, I will not hear him on the application at hand.

DATED AND DELIVERED ELECTRONICALLY AT NAIROBI THIS 27TH DAY OF OCTOBER 2022

A.O. MUCHELULE



JUDGE

