

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT BUSIA

DIVORCE CAUSE NO. 2 OF 2016

NBM.....PETITIONER

VERSUS

PBS.....RESPONDENT

JUDGMENT

1. The petitioner and the respondent in this matrimonial cause solemnized their marriage in February 2013 at the District Commissioner's office Mumias. They had however, started cohabiting in May 2012.
2. A few months after the solemnization of their marriage, differences started to manifest themselves. The petitioner has complained of unfaithfulness on the part of the respondent and cruelty. She has therefore petitioned this court for a divorce.
3. The respondent was served with the petition but did not file a response. The matter therefore proceeded for formal proof.
4. The allegations that were raised against the respondent were very serious issues that went unchallenged. The petitioner has therefore on a balance of probabilities proved her claims against the respondent.
5. I accordingly allow the divorce as prayed in the petition. Decree nisi to issue. No orders as to costs.

DELIVERED and SIGNED at BUSIA this 25th day of February, 2019

KIARIE WAWERU KIARIE

JUDGE