



REPUBLIC OF KENYA

IN THE KADHI'S COURT AT GARSEN

DIVORCE CASE NO 61. OF 2017

1. HRB.....APPLICANT

VERSUS

2. RG.....RESPONDENT

JUDGMENT

In this divorce case dated 16TH OCTOBER, 2017 the Applicant prayed for:

- 1- Dissolution of the marriage.
- 2- Payment of dowry.

The Proceeding of this suit proceeded ex parte. The applicant alleged that the respondent has been very irresponsible and failed to provide maintenance. His cruelty leads to assault and disrespect. In addition to that the respondent is a robber .For this reason, the applicant decided to leave her matrimonial home for over 3 years there is no communication.

They were bleased with one issue namely A 3 years old.

The respondent failed to pay adowry of 2 sheep.

The applicant claimed that as human being and young she cannot hold back her feelings any longer and doesn't want to sin In her views this marriage has lost meaning and failed.

To support the issue applicant produced the letter from chef area shows that He knows the Issue clearly and tried to solve it but not successful and lastly direct them to this Honorable court.

According to Islamic jurisprudence: (??? ??????? ???? ?? ??? ???????) (meaning : it is better to prevent a problem than to expect a good ,prevention is better than cure. On this basis, the view of the evidence adduced by the applicant is evident that this marriage is not .worthily according the Holy Quran and the hadith of prophet s.a.w

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- 1- This marriage is dissolved on FG on condition that the applicant should wait for the eddah period of three months.
- 2- Divorce certificate to be issued today.
- 3- It compulsory for the respondent to pay 2sheep as payment of dowry.

These are order of this court.

Read and delivered this 31st day of OCTOBER 2017

in the presence

Kadhi Mursal Mohamed

Court Assistant Goracho Abdallah.