



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**FAMILY DIVISION**

**DIVORCE CAUSE NO. 81 OF 2014**

**BETWEEN**

**E W M.....PETITIONER**

**AND**

**SM .....RESPONDENT**

**RULING**

1. The Deputy Registrar certified on 31<sup>st</sup> July 2014 that the pleadings herein were in order and directed that the matter was to proceed as an undefended cause.
2. The matter was fixed for hearing on 23<sup>rd</sup> October 2014. It was placed before me on the appointed date, and the petitioner proceeded to state her case against the respondent. I reserved the matter for judgment on 23<sup>rd</sup> January 2015.
3. Two days to the date of the delivery of the judgment, that is to say on 21<sup>st</sup> January 2015, the petitioner filed a Notice of Withdrawal dated 10<sup>th</sup> January 2015, intimating to the court that she was withdrawing the petition dated 11<sup>th</sup> April 2014. The Notice was signed by the petitioner personally and by her advocates. Its effect was to stop the court from rendering a decision on the petition.
4. The petition is undefended, nobody would be prejudiced by its withdrawal. Consequently, I am moved to mark the petition herein dated 11<sup>th</sup> April 2014 as withdrawn. There shall be no order as to costs.

**DATED, SIGNED and DELIVERED at NAIROBI this 31<sup>ST</sup> DAY OF JULY, 2015.**

**W MUSYOKA**

**JUDGE**

In the presence of Ms. Luyayi for Mr. Mugambi advocate for the petitioner

