

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

MILIMANI LAW COURTS

FAMILY DIVISION

DIVORCE CAUSE NO. 237 OF 2014

A.W.M PETITIONER

VERSUS

G.V.W RESPONDENT

JUDGMENT

1. The petitioner and the respondent got married on 13th January 2005 at the Registrar of Marriages in Mombasa. The marriage was not blessed with children.
2. On 8th December 2004 the petitioner filed this petition seeking the dissolution of the marriage on grounds of cruelty and desertion. The petition was served on the respondent who did not enter appearance or file answer. The petitioner gave evidence in support of the petition. The evidence was not challenged.
3. The petitioner's testimony was that they had a matrimonial home along [Particulars Withheld] in Nairobi and that in July 2010 the respondent left the home and has not returned since. She tried to call and text him but he never responded. They have not met or had any conjugal interaction since. In her view, the marriage cannot be salvaged. I accept that evidence.
4. On the grounds of desertion and that the marriage between the parties has irretrievably broken down, I grant divorce. The marriage is dissolved. *Decree nisi* shall issue and shall become absolute after 30 days. The petitioner is granted costs of the petition.

DATED and DELIVERED at NAIROBI this 29th October 2015.

A.O. MUCHELULE

JUDGE