



**REPUBLIC OF KENYA**

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

**MILIMANI LAW COURTS**

**FAMILY DIVISION**

**DIVORCE CAUSE NO. 95 OF 2014**

**R S.....PETITIONER**

**VERSUS**

**N A.....RESPONDENT**

**JUDGMENT**

1. The petitioner and the respondent got married on 8<sup>th</sup> December 2010 at the Registrar's office in Nairobi and begun to stay at Apartment *[particulars withheld]* on LR No. *[Particulars withheld]*.
2. In February 2011 the respondent left the matrimonial home citing cultural differences. She refused to return, despite efforts from the petitioner. Since then the parties have lived apart. The petitioner seeks divorce on grounds of desertion and that the marriage has irretrievably broken down. There has been no sexual contact between them since then. The marriage has no issue. The evidence of the petitioner was not rebutted.
3. On the basis of desertion, I allow the petition. I find that the marriage has broken down beyond repair. The marriage is hereby dissolved. *Decree nisi* shall issue. The same shall become absolute after 30 days.

**DATED and DELIVERED at NAIROBI this 30<sup>th</sup> October, 2014**

**A.O. MUCHELULE**

**JUDGE**