

REPUBLIC OF KENYA

IN THE HIGH COURT AT MALINDI

DIVORCE CAUSE NO. 1 OF 2012

P A B aka P BPETITIONER

VERSUS

L M R.....RESPONDENT

JUDGMENT

1. The parties herein were married under the Marriage Act on 4th April, 2007. The Petitioner has now brought this petition seeking to have the marriage dissolved. The petition proceeded as an undefended cause as the Respondent did not enter appearance despite being served. The petition is based on grounds of cruelty and desertion.
2. During the hearing, the Petitioner relied on her, recorded statement recorded in proof of the allegations of cruelty and desertion by the Respondent. The allegations have not been disputed. It would seem that after craftily obtaining various amounts of money from the Petitioner, and even begging from her friends the Respondent eventually deserted her since 2007. He also took with him the Petitioner's goods. To date he remains at large.
- 3 . I am satisfied that the Petitioner has established her case on a balance of probabilities and will grant her the prayers sought in the petition.

Delivered and signed at Malindi this **28th October, 2013** in the presence of Miss Mwangi for the Petitioner.

Court clerk – Samwel

C. W. Meoli

JUDGE