

REPUBLIC OF KENYA

IN THE HIGH COURT AT MALINDI

JUDICIAL SEPARATION CAUSE NO. 1 OF 2010

B T KPETITIONER

VERSUS

L CRESPONDENT

DIRECTIONS

Upon perusing the record of this cause as well as the material presented in respect of the petitioner's Notice of Motion dated 13th May, 2010, the respondents Notice of Motion filed on 23rd October, 2012, and the letter from the Ministry of Foreign Affairs of even date, it seems to me:

1. The respondent has already obtained divorce from the petitioner from a competent court in Denmark.
2. The Notice of Motion of 13th May, 2010 and the entire petition would stand overtaken by events in light of 1 above.
3. Rendering a ruling on any of the petitioner's prayers could amount to an exercise in futility by this court.

In view of the foregoing, I direct that the parties herein do appear before me and confirm the correct position to the court. For this purpose, the matter will be mentioned on 20th December, 2013.

These directions are to be served upon the advocates of the parties to appear.

Delivered and signed at Malindi this 16th day of December, 2013

in the presence of Mr. Ole Kina holding brief for Mr. Lughanje and Mr. Okuto for the respondent.

C. W. Meoli

JUDGE