



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

DIVORCE CAUSE NO.117 OF 2009

**P.M.J.....
.....PETITIONER**

VERSUS

**N.H.P.....
RESPONDENT**

J U D G M E N T

1. The Petitioner herein, P. M. J. seeks Orders that his marriage to the Respondent, H. H. P. be dissolved for reasons that the same has irretrievably broken down due to the Respondent’s acts of desertion.

The particulars of desertion are that;

“i) [The Respondent] deserted the matrimonial home and thus the Petitioner for a period of well over three (3) years preceding the filing hereof i. e. November 2005 to date without cause.

ii) Leaving and staying away from the matrimonial home and refusing to go back to the matrimonial home and to the Petitioner all together.”

2. There were no issues out of the union of the parties and the Respondent failed to respond to the Petition. The evidence as tendered in Court by the Petitioner is therefore wholly unchallenged and I find no reason to disbelieve her.

3. In the event, the marriage is hereby dissolved and the decree nisi shall issue forthwith and to be made absolute within thirty (30) days.

4. I shall make no order as to costs.

5. Orders accordingly.

DATED, DELIVERED AND SIGNED AT NAIROBI THIS 13TH DAY OF JANUARY, 2012.

CORAM

ISAAC LENAOLA – JUDGE

Miron – Court Clerk

Mr. Isoe for Mr. Onyango for Petitioner

No Appearance for Respondent

ORDER

Judgment duly read.

ISAAC LENAOLA
JUDGE