



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI

DIVORCE CAUSE NO.147 OF 2009

M. M.V.....PETITIONER

VERSUS

F.F.....RESPONDENT

J U D G M E N T

1. The Petitioner, M.M.V married the Respondent, F.Fs on 1st November 2001 at the Civil Registration Office of Bandiz, Mapusa, India.
2. In her Petition dated 22nd September 2009, she states that upon their marriage, they came to Kenya and lived at her Parents' home in [...], Nairobi from 1st January 2001 to mid February 2002 when the Respondent walked away from his spouse and the marriage, never to return.
3. Apart from the allegations of desertion, the Petitioner has also alleged that the Respondent treated her with cruelty by showing no respect to her; by fighting with her; by failing to provide for her and by exhibiting behaviours that were incompatible with those of the Petitioner.
4. It is the Petitioner's case that since the marriage has broken down beyond repair, the same should be dissolved.
5. The Respondent although served, never responded to the Petition and so all the allegations against him have not been controverted in any way.
6. In the event, I am satisfied that from the contents of the Petition and from the evidence tendered in

court by the Petitioner, it is clear to me that there is no marriage left to be retrieved as between the Parties. They lived together for barely two months in 2002, close to ten (10) years ago and never had a serious marriage because the Respondent disappeared soon after cohabitation begun.

7. I will in the circumstances order the dissolution of the marriage and will issue a decree nisi forthwith and the same to be made absolute within thirty (30) days of this order.

8. I shall make no order as to costs.

9. Orders accordingly.

DATED, DELIVERED AND SIGNED AT NAIROBI THIS 30TH DAY OF JUNE, 2011.

I. LENAOLA

JUDGE

CORAM:

I. LENAOLA – JUDGE

David – Court Clerk

Mrs. Njuguna hold brief for Mr. Sharma for Petitioner.

ORDER

Judgment duly read.

I. LENAOLA

JUDGE