

Having considered the evidence adduced before me, which evidence was not contradicted, I am satisfied that petitioner's marriage to the respondent was never consummated because of his medical condition. Accordingly, I hereby declare the said marriage null and void and pronounce a decree of nullity of the marriage between the petitioner and the respondent. Decree *nisi* shall issue forthwith and the same be made absolute after one month.

Each party shall bear his/her own costs.

Orders accordingly.

DATED AND DELIVERED AT ELDORET THIS 27TH DAY OF JUNE, 2011.

**F. AZANGALALA
JUDGE**

Read in the presence of:-

M/s **Khayo** holding brief for **Mr. Nyairo** & Co. Advocates for the Petitioner.

**F. AZANGALALA
JUDGE.
27/01/2011.**