



**M.J.K.....PETITIONER**

**VERSUS**

**I.N.O.....RESPONDENT**

**JUDGMENT**

This is a petition for annulment of the marriage between the Petitioner and the Respondent. The facts of the case are that on 6<sup>th</sup> July 2004 the parties married each other at a marriage ceremony conducted in the Registrar of Marriage Office in Nairobi. At the wedding reception following that marriage another woman appeared and claimed to be the girlfriend of the Respondent. Upon the Petitioner's enquiry the Respondent admitted that was his girlfriend, abandoned the Petitioner and went to Kisii remarking that he would explain later. He has never offered any explanation and the marriage has never been consummated. In the circumstances the Petitioner prays the same be annulled.

Though served the Respondent did not file any answer or other documents in opposition to the petition. The Petitioner therefore took directions and was formally allowed to prove her petition. At the hearing she reiterated the averments in her petition as summarized here above.

Having considered the Petitioner's uncontroverted testimony I am satisfied that her marriage to the Respondent has not been consummated. Consequently I grant this petition and declare that the marriage between the Petitioner and Respondent be and is hereby dissolved. A decree nisi shall issue forthwith to be made absolute after thirty days.

**DATED and delivered this 23<sup>rd</sup> June 2011.**

**D.K. MARAGA  
JUDGE**