

**REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (NAIROBI LAW COURTS)**

Divorce Cause 67 of 2007

L.N.K.....PETITIONER

VERSUS

G.O.O.....RESPONDENT

JUDGMENT

The petition has been duly certified as an undefended cause by the learned Deputy Registrar.

The petitioner gave evidence which was uncontroverted and straight forth.

She proved that the parties celebrated marriage on 2nd September, 2003 which started with unfortunate incident of adultery of which the petitioner became a witness.

Despite the incident, the Respondent did not improve and continued the immoral acts of adultery which resulted in grave humiliation to the petitioner.

The petitioner has averred that she has neither condoned those acts of cruelty and adultery nor has she been accessory to those acts. It is also on record that she has not presented a prosecuted this petition in collusion of the respondent.

I have observed her demeanor while giving evidence and she stuck me as a person who has been affected badly by the mishaps in the marriage caused by the respondent.

I do thus accept her uncontroverted evidence and grant the prayer of dissolution of the marriage celebrated between the parties on the grand of adultery on the part of the Respondent.

As the marriage had very short span, I also exercise my discretion and direct that the decree nisi be made absolute within 90 days from the date hereof.

Dated and signed this 21st day of February, 2007.

K.H.RAWAL

JUDGE

21.02.08