

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (NAIROBI LAW COURTS)
Divorce Cause 45 of 2007

K.W.N.....PETITIONER

AND

A.W.D.....RESPONDENT

JUDGMENT

The parties herein were married at the office of the Registrar of Marriage, Nairobi on 16th December, 2003. They cohabitate only for a month at the premises situate in Nairobi.

After one month the Respondent without any explanation or reasonable cause deserted the petitioner and the matrimonial home. The petitioner tried to contact and talk to the Respondent but he refused to do so.

The petitioner denied that she has been accessory to or connived at the act of the desertion. She has also denied that she has colluded with the petitioner in presenting or in prosecuting this petition.

The petitioner also frankly deponed that the marriage has been broken completely.

This petition is filed on 13th April, 2007 after the lapse of three years from the date of desertion by the Respondent.

I do believe the uncontroverted evidence of the petitioner and do find that the Respondent deserted the petitioner without lawful cause.

The marriage in fact solemnized between the parties be dissolved.

The petitioner is a young lady and has not seen or enjoyed the good side of a married life.

In the premises, I further direct that the decree nisi be made absolute within 45 days hereof.

Dated and signed at Nairobi this 7th day of March, 2008.

K.H.RAWAL

JUDGE

7.3.08