

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

Divorce Cause 119 of 2005

S O O PETITIONER

AND

J W I RESPONDENT

JUDGMENT

Before me is an undefended cause so certified by the Learned Deputy Registrar.

The Petitioner in his uncontroverted testimony stated that although he married the respondent on 15th November, 2004 their marriage was not consummated due to willful refusal by the respondent. He specified that the Respondent refused to concede to his advances under the pretext of her sickness and eventually during the month of June, 2005, she left the matrimonial home without his knowledge and as per him, without any reasonable cause.

He also testified that he has not colluded with the Respondent in presenting or prosecuting of this cause.

I have seen the demeanous of the Petitioner and his averments in the petition as well as his testimony before the court remain unchallenged and I accept the same as true.

In the premises, I declare that the marriage solemnized between the parties is null and void.

This decree nisi be made absolute within six months from the date of this judgment.

Dated and signed at Nairobi this 11th day of May, 2006.

K.H. RAWAL

JUDGE

11.5.06