

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (NAIROBI LAW COURTS)
Divorce Cause 96 of 2006

J.K.G PETITIONER

VERSUS

L.G.KRESPONDENT

JUDGMENT

This cause was certified as an undefended cause by the learned Deputy Registrar.

The Petitioner in his uncontroverted evidence testified that he married the Respondent on 4th October, 1997 at St. Philip's Kihara, and they have two issues of marriage namely A.G a son aged 7 years and N.E a daughter of 6 years.

He testified that they both are citizens and residents of Republic of Kenya and there is no other proceedings filed or presented in respect of their marriage except the present cause.

He told the Court that in July, 2002, the Respondent left their matrimonial home after stabbing him with a kitchen knife and taking all household goods with her. She threatened him not to try reconciliation. She also took both the children with her despite his plea to leave them with him.

She has not come back since then. He sought the dissolution of marriage and confirmed that he has not connived at or condoned the desertion and that he has not colluded with her in presenting or prosecuting this cause.

This petition was filed on 11th July, 2006 more than three years after the Respondent deserted the Petitioner without reasonable cause.

The Petition is thus allowed and I order that the marriage solemnized between the parties on 4th October, 1997 be dissolved.

Decree nisi be made absolute within 60 days.

Dated and signed at Nairobi this 23rd day of November 2006

K.H. RAWAL

JUDGE

23.11.2006