

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

DIVORCE CAUSE NO. 6 OF 2003

LILY KAIMA WASHO.....PETITIONER

=V E R S U S=

ARNOLD CHAI SHEHE.....RESPONDENT

J U D G M E N T

The Petitioner is the wife of the Respondent. She also petitioned for divorce.

It is clear from her conduct she does not wish to defend her marriage. She did not appear in court to-day although served with a Hearing Notice. I believe what the Cross- Petitioner says and I find his cross-petition proved.

I therefore allow the cross-petition and dissolve the marriage.

I declare Decree Nisi to be made absolute within the next 4 weeks.

I order that the mother Petitioner shall have custody care and control of the infant child of the marriage.

The father Cross-Petitioner shall pay for the maintenance of the child Kshs.5,000/- per month and shall provide school fees, clothing, food and shelter and in addition all medical requirements for the child.

The order for custody and maintenance may be reviewed upwards when the need arises.

As I have found that the Petitioner has shown no interest in these proceedings, I shall make no order as to her maintenance. She shall be at liberty to make application for the same if she so requires.

No order as to costs is made against the Petitioner.

Dated at Mombasa this 29th day of March, 2004.

JOYCE KHAMINWA

J U D G E

