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**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**  
**AT MOMBASA**

**DIVORCE CAUSE NO. 25 OF 2004**

**PETER KIRAGU NJUGUNA ..... PETITIONER**

**V E R S U S**

**MARGARET WANJIKU HENRY ..... RESPONDENT**

**R U L I N G**

The petitioner (husband) has filed a petition against the wife respondent for the dissolution of their marriage contracted on 18.12.99. On 17.6.2004 the wife filed an application for monthly maintenance as alimony pendente lite. The reasons are that the respondent has been left on her own. She is not able to get income from the family joint business. The petitioner has withdrawn all funds in accounts and has withdrawn family vehicles from her use. The supporting affidavit shows that the husband left the home and removed furniture from the house.

The court has considered the material before the court. The petitioner has not disclosed all the family assets. But it is clear this family has means and have been maintaining a standard of living higher than most families in their station in life.

This is an interim application pending hearing of petition and the making of final orders. In the circumstances I am of the view the applicant will not need to purchase clothing in the interim period. Similarly she may not need to entertain that much. I, therefore award alimony in the monthly sum of shs. 74,500/- payable from 30/7/04 and thereafter on 30th day of each succeeding month until further orders of this court or the determination of the petition.

Costs to the applicant.

**Dated this 30th day of July, 2004.**

**J. KHAMINWA**

**JUDGE**

**30.7.2004**

**Ruling read in the presence of Ms. Kibe for applicant.**

**J. KHAMINWA**

**JUDGE**

