

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI

DIVORCE CAUSE NO. 127 OF 2001

A D W PETITIONER

VERSUS

G D W T RESPONDENT

JUDGMENT

From what has been brought to my attention during the hearing of this undefended divorce cause, I would say that while I would have granted divorce on the ground of desertion as prayed in the petition, I do note that the requisite mandatory period of three years to sustain the ground of desertion from 3rd March 2001, has not yet matured.

In the circumstances therefore, and since I have been told that for the time being the petitioner would have an order for judicial separation rather than having nothing, I do hereby grant an order for judicial separation.

As the Petitioner does not want costs from the Respondent, there will be no order as to costs.

Dated this 7th Day of November 2002.
J.M. KHAMONI
JUDGE