



**AMM v GAM (Matrimonial Cause E075 of 2024)  
[2025] KEHC 7037 (KLR) (Family) (23 May 2025) (Judgment)**

Neutral citation: [2025] KEHC 7037 (KLR)

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

**FAMILY**

**MATRIMONIAL CAUSE E075 OF 2024**

**H NAMISI, J**

**MAY 23, 2025**

**BETWEEN**

**AMM ..... APPLICANT**

**AND**

**GAM ..... RESPONDENT**

**JUDGMENT**

1. Before the Court is an Originating Summons dated 25 October 2024 seeking the following orders:
  - i. That this Honourable Court declares the properties (immovable) listed in the Property Settlement Agreement dated 1 July 2024 in respect of Plot No88 on LR No.8749/5 Thika Greens Estate, Phase3, are matrimonial properties to be divided in the manner agreed by the parties in the said Property Settlement Agreement;
  - ii. That this Honourable Court declares that the properties (movable) listed in the Property Settlement Agreement dated 1 July 2024 in respect of Motor vehicles registration numbers KCR 946E, Toyota Land Cruiser, KAL 115Q Toyota Land Cruiser Prado, KCA 285D Hino Lorry/Truck, KCW 490Z Toyota Prius, KBZ 640T Ashok Lorry/Truck, KBY 796H Mitsubishi Mini-truck KMCA 405S Suzuki Motorcycle are matrimonial properties to be divided in the manner agreed by the parties in the Property Settlement Agreement;
  - iii. That this Honourable Court empowers the Deputy Registrar to sign the necessary transfer documents in the event of non-compliance by the Respondent;
  - iv. That the costs of this Application be provided for;
  - v. That the Honourable Court be pleased to make such further or other orders as it may deem just and expedient in the circumstances of the case.



2. The Application is supported by Affidavit sworn by the Applicant.
3. The parties got married on 22 February 2014. Subsequently, their marriage was dissolved vide Divorce Cause No. E623 of 2023 and a Decree Absolute issued on 5 December 2023.
4. Attached to the Affidavit two Property Settlement Agreements both dated 1 July 2024, which are duly executed by the parties and witnessed. The first Agreement relates to the immoveable property, namely Plot No 88 On LR8749/5 Thika Greens Estate, Phase 3. The second Agreement relates to the moveable assets comprising of motor vehicles and a motor cycle.
5. The Respondent did not enter appearance nor file any response thereto. I have seen the Affidavits of Service filed and I am satisfied that the Respondent was properly served and, therefore, fully aware of these proceedings.
6. In the premise, I allow the Originating Summons in terms of prayers 1, 2 and 3. The two Property Settlement Agreements dated 1 July 2024 are hereby adopted as orders of this Court. Each party will bear their own costs.

**DATED AND DELIVERED AT NAIROBI THIS 23 DAY OF MAY 2025**

**HELENE R. NAMISI**

**JUDGE OF THE HIGH COURT**

Delivered on virtual platform in the presence of:

Naliaka h/b Dr. Okubasu .....for the Applicant

N/A..... for the Respondent

Libertine Achieng..... Court Assistant

