



REPUBLIC OF KENYA



**KR v SKK (Matrimonial Cause E006 of 2025) [2025] KEHC 10420 (KLR) (18 July 2025) (Ruling)**

Neutral citation: [2025] KEHC 10420 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT ELDORET  
MATRIMONIAL CAUSE E006 OF 2025**

**RN NYAKUNDI, J**

**JULY 18, 2025**

**BETWEEN**

**KR ..... APPLICANT**

**AND**

**SKK ..... RESPONDENT**

**RULING**

1. The Application before Court is a Certificate of Urgency dated 5<sup>th</sup> May 2025 accompanied with a Notice of Motion expressed to be brought under Section 1, 1B, 3A of the *Civil Procedure Act*, Order 51 of the *Civil Procedure Rules*, section 7, 8, 9, 11, 12, 14 and 17 of the *Matrimonial Property Act* 2013, Article 159 of the *Constitution* of Kenya 2010 seeking the following orders;
  - a. That this Application be certified as urgent and service of the same be dispensed with in the first instance.
  - b. That pending hearing and determination of this case, this Honourable Court be pleased to issue conservatory orders restraining the Respondent either by himself, his agents, employees, servants and/or person from leasing, selling, disposing off, charging, transferring, collecting income and/or in any other way dealing with the properties subject of this cause to wit: -
    - a. Eldoret/MUN/Block 20 (Kapyemit)/706
    - b. Eldoret/MUN/Block 20 (Kapyemit)/1869
  - c. That the Respondent through his agents, family members, relatives and/or fiancée be restrained from sending any amorphous messages, threats and other tortuous acts detrimental to the Applicant.
  - d. That costs of this Application be in the cause.



**Orders/directions**

2. This matter coming up on 18.7.2025 for directions on the Notice of Motion dated 5<sup>th</sup> May 2025 before Honourable Justice, R. Nyakundi upon reading the motion and the affidavit ex-parte in the first instance
3. It is hereby ordered
  - a. That the Application is certified as urgent
  - b. That the application be served upon the Respondent within 14 days.
  - c. That this matter is fixed for inter-partes hearing on 24<sup>th</sup> July 2025 before High Court No.2.
  - d. The issue of conservatory orders be canvassed at the inter-partes forum.

**GIVEN UNDER MY HAND AND SEAL OF THE HONOURABLE COURT THIS 18<sup>TH</sup> DAY OF JULY 2025.**

.....

**R. NYAKUNDI**

**JUDGE**

