



**Salim v Tobei & 2 others (Family Miscellaneous Application  
E063 of 2023) [2024] KEHC 4611 (KLR) (16 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 4611 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
FAMILY MISCELLANEOUS APPLICATION E063 OF 2023  
SM MOHOCHI, J  
APRIL 16, 2024  
IN THE MATTER OF THE CHILDREN'S ACT**

**BETWEEN**

**DENNIS KIBILO SALIM ..... APPLICANT**

**AND**

**REGINA CHEPTOO TOBEI ..... 1<sup>ST</sup> RESPONDENT**

**THE REGISTRAR OF BIRTHS & DEATHS ..... 2<sup>ND</sup> RESPONDENT**

**ELIJAH KIBET KIPTARUS ..... 3<sup>RD</sup> RESPONDENT**

**RULING**

1. The Court directed the Applicant to serve the application upon the Respondent and file a return of service. No return of service was filed.
2. An advocate for 1<sup>st</sup> and 2<sup>nd</sup> Respondent appeared indicating she had instructions and was asked to file notice of appointment but did not comply.
3. The application is thus undefended.
4. This Court has nonetheless considered the application on its merits and finds as follows: -
  1. The instant application seeks final declarations and orders and if determined then it will dispose of the motion exparte.
  2. Application is hereby dismissed.

**SIGNED, DATED AND DELIVERED AT NAKURU ON THIS 16<sup>TH</sup> DAY OF APRIL, 2024**

**JUSTICE MOHOCHI S.M**

**JUDGE**



In the presence of:

Court Assistant - Schola

Achieng for 1<sup>st</sup> and 2<sup>nd</sup> Respondents

