



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

DIVORCE CAUSE NO. 4 OF 2018

BETWEEN

DCRPETITIONER

AND

TVRESPONDENT

Judgment

1. DCR (Petitioner) moved this court against TV (Respondent) in a Petition dated 25th July 2018.

2. In the said Petition orders being sought were:

- a. Dissolution of the marriage between the two; &**
- b. That each of the parties bear their own costs.**

3. Despite service of the summons to appear and the Petition, the Respondent did not enter an appearance or file a response and the matter having been certified as an undefended cause, proceeded as such on the 24th of January, 2019.

4. The Parties solemnised their marriage on the 25th of August 1991 at West Vancouver, Canada.

During the subsistence of the marriage the parties resided in various places. They came to Kenya in 2013 and both are currently residents in this country.

5. The union between the Petitioner and Respondent was blessed with two children.

LFR-V, born on 9th March, 2008, and

LMR-V, born on 24th May, 2010

6. It is the Petitioner's case that the marriage between them has irretrievably broken down, the two have lived separately since the 17th of January 2016 and repeated efforts to reconcile the two has failed.

7. Having considered the petition and evidence of the Petitioner on record and in the absence of an answer challenging the evidence adduced, I am of the opinion that since the parties have lived a part for 4 years due to irreconcilable differences. the Petitioner has on a balance of probabilities proved her case.

8. Consequently, the marriage between **DCR** and **TV** that was solemnised on the 25th of August 1991 be and is hereby dissolved.

9. The Decree Nisi be made absolute within 30 days.

10. Each party to bear their own costs.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 7TH DAY OF MARCH, 2019.

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ALI-ARONI

JUDGE

In the presence of:

Petitioner

Respondent.....