



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**MILIMANI LAW COURTS**

**FAMILY DIVISION**

**DIVORCE CAUSE NO. 76 OF 2014**

**G S W.....PETITIONER**

**VERSUS**

**E N W.....RESPONDENT**

**JUDGMENT**

1. The petitioner G S W and the respondent E N W began to cohabit in 1987. In 1988 they formally married at the Registrar's Office in Nairobi. They stayed at Matete District in Kakamega county and at Embakasi in Nairobi. The marriage was blessed with two adult children.
2. Since the year 2010 the parties have stayed apart. The petitioner left the matrimonial home. The parties have not had any communication or interaction since then.
3. In a petition filed on 3<sup>rd</sup> April 2014 the petitioner sought the dissolution of the marriage. Among other things, he pleaded that the marriage has irretrievably broken down. The respondent filed an answer to the petition and a cross-petition for divorce.
4. The parties testified before me this morning, and each swore that the marriage cannot be repaired.
5. On the basis that the petitioner and respondent have been separated since 2010, and their evidence that they can no longer stay together as husband and wife, I order the dissolution of the marriage. *Decree nisi* shall issue immediately and shall become absolute after 30 days.
6. I make no orders to costs.

**DATED, DELIVERED and SIGNED at NAIROBI this 1<sup>ST</sup> day of MARCH 2018.**

**A.O. MUCHELULE**

**JUDGE**