

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

MILIMANI LAW COURTS

FAMILY DIVISION

DIVORCE CAUSE NO.171 OF 2014

N. R. D.....PETITIONER

VERSUS

R. C. D.....RESPONDENT

JUDGMENT

1. This petition was served on the respondent who did not file any response. The petitioner's evidence was therefore not challenged.
2. The petitioner and the respondent got married on 18/6/99 in India. The couple came to Kenya and settled at South C in Nairobi. The marriage was blessed with a son M.R.D. who was born on 4/6/06. On 15/7/13 the respondent disappeared from home. Two days later he called from Tanzania to say that he would not return. He has not returned since. The petitioner stays with their son.
3. It was the petitioner's further evidence that, before the desertion, the respondent was argumentative and would not regularly provide for the upkeep of the family. She stated that the marriage has broken down beyond repair.
4. I accept the evidence of the petitioner. On the basis of desertion, I order the dissolution of the marriage between the petitioner and the respondent. Decree *nisi* shall issue and shall become absolute after 30 days. Costs shall be paid by the respondent.

DATED and DELIVERED at NAIROBI this 4th June 2015.

A.O. MUCHELULE

JUDGE