



**REPUBLIC OF KENYA**

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

**DIVORCE CAUSE NO. 15 OF 2012**

**N R K.....PETITIONER**

**VERSUS**

**S S S.....RESPONDENT**

**J U D G M E N T**

The petitioner then a spinster married the respondent on 18-2-2011 under the tenets of the Hindu rites. Both of them lived as husband and wife at Kisumu town.

The petitioner has filed this petition which is unchallenged arguing that the respondent has deserted the matrimonial home and has been extremely cruel on her. The petitioner further argues that the respondent has denied her conjugal rights and that he now does business in Rwanda. She argued that by virtue of the respondent's action she has suffered serious psychological stress and therefore despite efforts to reconcile their marriage has irretrievably broken down.

As stated above the petition was never challenged and it means therefore that the petitioner's evidence is not contested. Apparently there were no issues of marriage.

Taking into consideration all the evidence adduced by the petitioner I do find that their marriage has broken down and therefore a decree nisi is hereby issued. There shall be no orders on costs.

**Dated, signed and delivered at Kisumu this 5th day of March, 2014.**

**H.K.  
JUDGE**

**CHEMITEI**