



**REPUBLIC OF KENYA**

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

**DIVORCE CAUSE NO. 14 OF 2012**

**R A L.....PETITIONER**

**VERSUS**

**K S B.....RESPONDENT**

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

The petitioner married the respondent on 2-5-2009 under the tenets of The Marriage Act Chapter 150 Laws of Kenya. Both of them profess the Hindu faith.

The petitioner has filed this petition citing the ground of cruelty as the main reason for break up of their marriage. In her testimony in court she said that the appellant has been so cruel that she was thrown out of the matrimonial home in September 2012.

She further said that the respondent has been extremely cruel by generally abusing her and using derogatory language against the petitioner. She therefore has suffered psychological trauma and denial of conjugal rights. The respondent did not file any response though served.

Consequently in light of the unchallenged testimony of the petitioner, I do find that the marriage between the two has irretrievably broken down. I thus order that a decree nisi dissolving the said marriage between the petitioner and respondent solemnised on the 2nd day of May 2009 hereby issued.

There was no issues of the said marriage. Each party shall bear their respective costs.

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

**H.K.  
JUDGE**

**CHEMITEI**