

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
DIVORCE CAUSE NO. 37 OF 1996

S.I.M.....PETITIONER
VERSUS
E.K.M.....RESPONDENT

JUDGMENT

This is an undefended divorce petition. The parties herein were married on 9th April, 1980 at the Office of the Registrar General Nairobi under the Provisions of The Marriage act cap 150 Laws of Kenya.

After the said marriage the parties cohabited as husband and wife in several Estates in Nairobi. They are both domiciled in Kenya.

There are four children out of the said marriage born between 198 and 1989. This is a divorce petition seeking the dissolution of the said marriage upon grounds of cruelty and adultery. The petitioner gave evidence in support of his pleadings which he adopted. He has been supporting the children whereas the respondent has chosen to lead an irresponsible life. he has also asked for the custody of the children of the marriage.

From the pleadings and the evidence adduced I believe the marriage has irreparably broken down and cannot be salvaged. The evidence of the petitioner is uncontested.

Accordingly, the marriage between the parties herein is dissolved forthwith. The petitioner shall have the custody of all the children of the marriage. the mother shall have access tot he said children twice per month during weekends at such times and days to be agreed between the parties.

DECREE NISI shall issue forthwith and may be made absolute on application by either party after three months from the date hereof.

Each party shall bear own costs.

Orders accordingly

Dated and delivered at Nairobi this 10th day of June, 1998

A. MBOGHOLI MSAGHA

JUDGE