



REPUBLIC OF KENYA

IN THE KADHIS COURT AT GARSEN

CIVIL CASE NO 42 OF 2016

FHB.....APPLICANT

VS

MH.....RESPONDENT

JUGMENT

In this civil case dated 6th SEPTEMBER 2016 the plaintiff prayed for judgment against the defendant for:

- 1- To urge the respondent to change his behaviors.
- 2- The expensive (medical bill) to be compensated.

The plaintiff sought that her life with the respondent has never been a bed of roses as he has been very cruel abusive. He has been very irresponsible failed to provide maintenance, in addition to that she became sick and was treated at hospital more than three days the respondent refused to pay medical bill.

On the other hand the respondent denied all the applicant's allegations for instance there is no any information about miscarriage any incidence of violence inhumanity and abusive. The respondent sought that the applicant has been asking for and demanding divorce of which she has not been granted.

None of the parties asked for dissolution of the marriage. Looking for their interest the honorable court advised them to go for reconciliation for one month, but they were not successful.

Concerning the dowry the respondent alleged that he has paid 22000 thousand through applicant's uncle and the balance is 1300. Looking from the side of applicant said that she received two thousand only from the respondent, she doesn't know about 22000/= as mentioned by respondent. Although the applicant giving up from the amount (22000/=).

Referring to the issue of their marriage I have noted the issue clearly and found that this marriage is not worthy according to the Holy Quran and the Hadith of Prophet Muhammad (swalla Allahu alayhi wasalam).

: on this basis I hereby order that this marriage is dissolved (???) on condition that

- 1- The applicant should wait for the Eddah period of three months.
- 2- It is copiously for the respondent to pay 28000 thousand as balance of dowry within three months from today.
- 3- Divorce certificate to be issued on 25th January 2017.

This are orders of this court.

R/A 30 days

delivered in court is 25th day of January 2017 in the presence of :

Mursal M Sizi kadhi.

Court assistant Goracho Abdallah.

plaintiff .

respondent.