



**REPUBLIC OF KENYA**

**IN THE KADHI'S COURT AT GARSEN**

**DIVORCE CASE NO 57. OF 2017**

**1. SM.....APPLICANT**

**versus**

**2. J HA.....RESPONDENT**

In this divorce case dated 25<sup>TH</sup> SEPTEMBER, 2017 the petitioner prayed for:

1- Dissolution of the marriage.

2- Payment of dowry.

The Proceeding of this suit proceeded ex parte. The applicant alleged that the respondent has been very irresponsible and failed to provide maintenance. His cruelty lead to assault and disrespect .For this reason, the applicant decided to leave her matrimonial home for over 5 years there is no communication. In her views this marriage has lost meaning and failed. To support the applicant produced the letter from chef area shows that He knows the Issue clearly and tried to solve it but not successful and lastly direct them to this Honorable court.

According to Islamic jurisprudence: (??? ?????? ??? ? ? ? ? ? ? ? ? ? ?) (meaning : it is better to prevent a problem than to expect a good .prevention is better than cure. On this basis, the view of the evidence adduced by the applicant is evident that this marriage is not .worthily according the Holy Quran and the hadith of prophet s.a.w

1. This marriage is dissolved on FASKH GRAOUND on condition that the applicant should wait for the eddah period of three months.

2. Divorce certificate to be issued today.

3. It compulsory for the respondent to pay 4 cows as payment of dowry within 30 days.

4. It compulsory for the respondent to pay 1 cow as Eddah maintenance within 30 days.

**Read and delivered this..31<sup>ST</sup> ...day of OCTOBER.2017 in the presence**

**Kadhi Mursal Mohamed**

Court Assistant Goracho Abdallah.