



**REPUBLIC OF KENYA**  
**IN THE KADHIS COURT AT KISUMU**  
**DIVORCE CASE NO 19 OF 2014**

**RO.....APPLICANT**

**VERSUS**

**WA.....RESPONDENT**

**RULING**

In this divorce cause dated 25th JUNE 2014 the petitioner prayed for :

- a -DIVORCE
- b - custody of the child as the mother has reverted to Christianity and cannot bring up his Muslim child Islamic ally.
- c - Respondent to be restrained permanently from interfering with his life and stop threatening him.

The petitioner alleged that the respondent has denounced Islam and attends a church in kisumu .also the respondent has severally abandoned her matrimonial house for a long periods of time and whenever she came back and apologies . the petitioner has always forgiven her as per his allegation.

on the other hand the respondent has not denied petitioner's allegations regard has revert Islam and attends a church as she has not denied about abandoning her matrimonial house for a long periods .

she complained that cannot give the petitioner her child because the children need both parents addition to that the two children love each other and they cannot separate.

I have noted the issue clearly and I found that the petitioner has not paid the dowry of ksh 1500 and he admitted on that.

looking to the respondent's financial status very low she cant maintain and educate two children .

on this basis the view of this court is as follows:

- 1- This marriage is hereby dissolved as requested by the petitioner.
- 2 - It is compulsory for the aplicant to pay ksh 5000/= as the dowry within 30 days from today 3rd December 2014.
- 3 - custody of the second child is given to the plaintiff and the respondent shall have reasonable access to him .
- 4- the first child is not a liability on the plaintiff.

R/A 30 days

**delivered in court is 3rd day of December 2014**

in the presence of

Mursal M Sizi kadhi

Court assistant Rehema Akidah

plaintiff