



**MWT v JKT (Matrimonial Case E001 of 2025)  
[2025] KEHC 15840 (KLR) (4 November 2025) (Ruling)**

Neutral citation: [2025] KEHC 15840 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
MATRIMONIAL CASE E001 OF 2025  
SM MOHOCHI, J  
NOVEMBER 4, 2025**

**BETWEEN**

**MWT ..... APPLICANT**

**AND**

**JKT ..... RESPONDENT**

**RULING**

1. I have considered the Notice of Motion dated 21<sup>st</sup> November, 2024 the supporting affidavit and Applicant’s written submissions dated 21<sup>st</sup> July, 2025 as well as the Respondents written submissions dated 21<sup>st</sup> March, 2025 as well as the Respondent’s replying affidavit dated evenly dated.
2. In consideration of this application this Court is guided by precedent and the only issue herein is whether the applicant is entitled to the prayers.
3. In consideration of this application I find the Applicant has established prima facie case that she was married to the Respondent and that there are divorce proceeding pending before the Nakuru Chief Magistrate’s Court.
4. As to whether she stands to suffer irreparable damage should the injunction not issue I do find that the application has not shown if irreparable harm shall be occasioned which harm cannot be compensated by damages.
5. I am however inclined to allow an injunction to issue on the last limb on balance of probability.
6. The injunction I issue is to preserve the 2 subject property pending hearing and disposal of the instant petition.
7. In the circumstances this Court finds the application to be partially on merit.



8. The invitation by the Applicant for declaration as to whether the suit properties constitute matrimonial property shall await a full hearing on merit.
9. Accordingly an order restraining the Respondent, his agents, servants or any other person acting on his behalf is hereby issued from disposing in anyway all the properties known as L.R. Bahati/Engashura Block 1/677 and Block 1/678 pending hearing and determination of this petition.
10. All other prayers are declined.
11. Costs shall be in the cause.
12. The petitioner shall set down the petition for hearing within 60 days and comply with Order 11 Mention for compliance on 29<sup>th</sup> January, 2026.

**SIGNED, DATED AND DELIVERED AT NAKURU ON THIS 4<sup>TH</sup> DAY OF NOVEMBER, 2025**

**MOHOCHI S.M**

**JUDGE**

