



DMM v GMK (Civil Case 13 of 2023)
[2026] KEHC 3307 (KLR) (Family) (13 March 2026) (Judgment)

Neutral citation: [2026] KEHC 3307 (KLR)

REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)

FAMILY
CIVIL CASE 13 OF 2023

PM NYAUNDI, J

MARCH 13, 2026

BETWEEN

DMM PLAINTIFF

AND

GMK DEFENDANT

JUDGMENT

1. In the application dated 1st February 2022, the applicant requested the Court to grant a summary judgment as set out in the plaint. On 7th October 2022, Hon. Serгон, J., dismissed this application without making an order as to costs. Following this dismissal, the applicant filed Miscellaneous Application No. E012/2023, dated 10th November 2022, in which he sought the Court's recognition and adoption of the marriage dissolution decree issued to him in the State of Michigan on 2nd June 2020. This request was granted on 17th February 2023. The applicant later applied for enforcement of that decision; however, this application was dismissed for lack of prosecution, and the file was closed on 18th June 2025.
2. This file had previously been closed by the Deputy Registrar on 13th February 2024. In the application dated 20th August 2024, the applicant sought to reopen the matter. I granted this application and ordered that the main suit proceed via written submissions, instructing the applicant to file and serve his submissions on the defendant within 14 days.
3. Upon reviewing the records, I found no evidence that the submissions were served on the defendant. Moreover, the submissions filed pertain to the application dated 1st February 2022, which has already been dismissed. Another issue is that this suit is now redundant in light of the orders issued in HC Miscellaneous Application No. E012/2023.



4. Given that the submissions were not served as directed and noting that the applicant has two separate matters ongoing simultaneously, I hereby direct that this matter be consolidated with HC Miscellaneous Application No. E012/2023. This file will serve as the lead file.
5. Furthermore, no further action will be taken in this matter unless there is proof of personal service upon the defendant.
6. Since the defendant has not participated in the proceedings, there will be no order as to costs.

It is so ordered.

DATED, SIGNED AND DELIVERED AT NAIROBI THIS 13TH DAY OF MARCH, 2026.

P.M NYAUNDI

JUDGE

In the presence of:

Ng'alamoi Court Assistant

Lusweh for Plaintiff

