



Case Number:	div cause 27 of 01
Date Delivered:	30 May 2003
Case Class:	Civil
Court:	High Court at Mombasa
Case Action:	-
Judge:	Pamela Mwikali Tutui
Citation:	KHAMISI SAL SHUNGULA vs TATIANA GRIGOREVNA SHUNGULA[2003] eKLR
Advocates:	-
Case Summary:	-
Court Division:	-
History Magistrates:	-
County:	-
Docket Number:	-
History Docket Number:	-
Case Outcome:	-
History County:	-
Representation By Advocates:	-
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-
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**REPULIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT MOMBASA**

**DIVORCE CAUSE NO. 27 OF 2001**

**KHAMISI SAL SHUNGULA ..... PETITIONER**

**VERSUS**

**TATIANA GRIGOREVNA SHUNGULA ..... RESPONDENT**

**JUDGMENT**

The Petitioner then a bachelor married the respondent then a spinster on 19th February 1975 in the Republic of Russia. They cohabited as man and wife living in Diani, Kwale District in Kenya upto November 2000 when the Respondent deserted the matrimonial home. The couple was blessed with two adult issues of the marriage aged 27 and 25 years respectively. The Respondent, though served with the petition failed to enter any appearance, file a defence or even appear at the hearing. It was the Petitioner's unchallenged evidence that in November 2000 the Respondent left the matrimonial home saying she had found a job at the New Stanley Hotel at Nairobi and when the Petitioner called to find out when she would

be returning or visiting her matrimonial home, she said she wasn't. On 10th December 2001 the Respondent left for Tel Aviv her original home and informed the Petitioner that she had acquired her original citizenship and was not coming back to him. She is currently living with another man. Consequently the Petitioner filed for this divorce.

Having heard the said evidence and there being no other evidence to the contrary, I grant the divorce and a Decree Nisi shall issue. There shall be no orders as to costs since the Respondent is already living outside the courts jurisdiction.

**Dated and delivered this 30th day of May 2003.**

**P.M. TUTUI**

**COMMISSIONER OF ASSIZE**



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