

**IN THE HIGH COURT OF JUSTICE OF THE  
FEDERAL CAPITAL TERRITORY ABUJA  
IN THE ABUJA JUDICIAL DIVISION  
HOLDEN AT JABI - ABUJA**

**BEFORE: HON. JUSTICE O. C. AGBAZA**

**COURT CLERKS: UKONUKALU&GODSPOWEREBAHOR**

**COURT NO: 12**

**SUIT NO: FCT/HC/PET/15/2016**

**BETWEEN:**

**UDUAK BABATUNDE RAJI.....PETITIONER**

**VS**

**BABATUNDE RAJI.....RESPONDENT**

**CONSENT JUDGMENT**

This Petition was filed on 3/5/16 by the Petitioner after the taking of preliminary application and the striking out of the names of the 2<sup>nd</sup>/3<sup>rd</sup> Respondent out of this suit and subsequent adjournment, the parties resolve to settle this matter. However, because it is a matrimonial matter, the Petitioner took the witness box, on 21/1/2019, to give evidence relating to the marriage and the subsequent agreed to resolve and Terms of Settlement filed and exchanged, which the Petitioner as PW1, confirmed in her evidence before court praying the court to enter it as the parties Consent Judgment. The PW1, also give evidence of the marriage they seek to have dissolved, by tendering as Exhibit "A", the Marriage Certificate evidencing the marriage. The Respondent Counsel did not object to the evidence by way of cross – examination; rather endorse the request of the Petitioner's evidence.

Having carefully considered the evidence of PW1 which remained unchallenged and noting the Terms of Settlement dated 16/1/2019 and filed 17/1/19. I shall in the interest of justice and the fact that they are two consenting adult allow the said Terms of Settlement be and is hereby entered as the Consent Judgment of the parties in this suit. The marriage contracted on 29/10/2007, is hereby dissolved having broken down irretrievably and the court enter a decree of an Order Nisi dissolving the marriage. After three month from today, the order shall become absolute. All the Terms so agreed also form the judgment of the court I so hold.

### **TERMS OF SETTLEMENT**

Wherefore the parties to this suit have agreed to settle in the following terms:

1. That the marriage has broken down irretrievably, parties have been living apart since 2013 till date, and cannot continue as husband and wife, thus the marriage should be dissolved.
2. **On issue of Custody/Maintenance**
  - a. That the Respondent has agreed that the Petitioner should be in custody of the children being their biological mother. And that Respondent at his convenient time has the right to visit the children as the welfare of the children demands.
  - b. That the Petitioner should be in the Respondent's house.
  - c. That the Petitioner is to occupy the three bedroom bungalow of the Respondent property located and situated at behind Kuduru Police Station, Kuduru Village, Bwari, Abuja to take care of the

children until the children attain the age of Twenty One years of age after which the property revert to the Respondent.

d. That the three bedroom should not be used for any other purpose rather than residential purpose.

3. a. The children are to be medically catered for when sick under the Respondent's NHIS registered hospital.

b. That the children's school fees will be sole responsibility of the Respondent and will be paid directly to their schools.

c. That the Respondent has agreed to remit the sum of ₦55,000.00 monthly for the children's up keep and the Petitioner maintenance.

4. That the terms stated above shall be the Judgment of the court in this suit.

Signed

**HON. JUSTICE O. C. AGBAZA**

Presiding Judge

21/1/2019

**APPEARANCE:**

OJEFUF.U. WITH HIM ONWUKA J. ESQ FOR THE PETITIONER

ONYEACHI UMAR WITH HIM JOCYEEMEIHESQ, SHINE CHRIS ESQ FOR THE RESPONDENT