

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY,
IN THE ABUJA JUDICIAL DIVISION,
HOLDEN AT COURT NO. 12 BWARI, ABUJA.
BEFORE HIS LORDSHIP: HON. JUSTICE O. A. MUSA.**

SUIT NO. FCT/HC/BW/PET/01/2018

BETWEEN:

JUSTICE EJIMADU PETITIONER/APPLICANT

AND

BISHOP GLORY NDIDI EJIMADU RESPONDENT

JUDGMENT

DELIVERED ON 4TH JULY, 2019

The Petitioner, whose address is at Plot BKN/04/D Kuduru Layout Bwari, FCT Abuja and whose occupation is Business, Petitions the court for a decree of Dissolution of Marriage against the Respondent who address is at Plot 407 FHA Lugbe, Air Port Road Abuja and whose occupation is Clergy/Business on the ground that the marriage has broken down irretrievably: since the marriage, the Respondent has deserted the Petitioner for a continuous period of 2 years immediately preceding the presentation of the Petition. The parties to the marriage have lived apart for a continuous period of 2 years and the Respondent does not object to a decree being granted.

The Petitioner, then a bachelor was lawfully married to the Respondent then a spinster, at the Asaba Marriage Registry Delta State on the 31st 2015 according to Christian rites. The wedding certificate is with the Respondent and the Respondent is put on notice to produce the certificate at the trial. The marriage was approved by the consent of the parents under the customary marriage of Delta State and all the necessary dowry were paid to the parents of the Respondent accordingly.

Counsel submitted that before the marriage ceremony parties cohabited at Johannesburg South Africa from 2014 – 2015 and immediately after the marriage the Petitioner and the Respondent cohabited at Bwari FCT Abuja from 2015 – 2016.

That the date and circumstances in which cohabitation between the Petitioner and Respondent ceased are as follows:-

- i. The wife is older than the husband. The Petitioner / husband is 32 years old while the Respondent / wife is 56 year old.
- ii. Since when the parties came to Nigeria, the Respondent who is a Bishop had been given fake prophecies to people which at times resulted to fight and police case which made the Petitioner to be afraid and ashamed of the marriage.

- iii. Because of the Respondent cruel act in the compound the landlord gave the Petitioner quit notice and when the house rent expired the landlord refused to collect rent from the Petitioner because of the attitude of the Respondent in the compound and also borrowed him money to enable Petitioner relocate the Respondent out of his compound immediately, because of her attitude in the compound is nothing to write home about.
- iv. Because Petitioner always advised the Respondent to portrait the likeness of Jesus Christ as a Pastor instead of given fake prophesy to people in the street, the Respondent developed hatred toward the Petitioner and started laying false allegation against him in the police station that the Petitioner has been mal-treating her and refused to consummate the marriage. Despite the fact that the Petitioner always performing his conjugal relationship with the Respondent 3 to 5 times daily, to satisfied her sexual urge, she was not satisfied because she could not conceived as a result of multiple fibroid in her womb.
- v. The Petitioner has never be in court before or have any court case before now until the Respondent frame him up in one Area court sitting at Deidei FCT Abuja

and the Petitioner was remanded imprisonment till he was released on bail after a month.

- vi. The Respondent lay a false allegation against the Petitioner that the Petitioner made her to lose eighty-three (83%) percent of her blood. Despite the fact that it was confirmed by the medical report of the hospitals visited by the Respondent, that she had multiple fibroid blocking her womb and warned attempt to operate it may affect her womb. But the Respondent still visited herbalist (Iya Alagbo) who gave her assurance and the herbal medicine she took with the hope that the herbal medicine will flush out the multiple fibroid blocking her womb. By the reverse is case when she started bleeding.
- vii. The Petitioner took her to the hospital (Daughter of Charity) Kubwa FCT Abuja. A part from the expenses incurred to pay her Hospital bills, the Petitioner also donated one pond of blood to resuscitate her back to life . and the Petitioner also took the photographs when she was in the hospital. All this was turned against the Petitioner as an exhibit to convict him at all cost but almighty God exposed the Respondent through her medical report which she refused to

tender in evidence but the Petitioner's lawyer assisted her to tender same from the bar.

- viii. The marriage between the Petitioner and the Respondent had broken down irretrievably.

The grounds of the Petition are as follows:-

- a. Since the marriage the Respondent has willfully and persistently abounded the marriage and fabricated frivolous criminal cases against the Petitioner to convict him at all cost, probably see him rusticated in jail.

The wife is older than the husband. The Petitioner / husband is 32 years old while the Respondent / wife is 56 years old.

- b. The Respondent has deserted the Petitioner for a continuous period of 2 years immediately preceding the presentation of the Petition.
- c. The parties to the marriage have lived apart for a continuous period of 2 years, and the Respondent does not object to a decree being granted as there is no issue between the parties.
- d. The Respondent have decided to abandoned the Petitioner because she has used him to refreshed and dump him to be keeping another male friend who always accompany her to Area court to secure conviction.

The Petitioner counsel further stated that no child / issue between the Petitioner and the Respondent that deserve maintenance.

The Petitioner seeks for following orders:-

- a. A decree of dissolution of the marriage on the grounds stated above that since the Respondent has deserted the Petitioner for a continuous period and persistently wish him dead or convicted. The marriage is hereby dissolved.
- b. An order of this Honourable court to the Respondent to return all the dowry paid on the Respondent to her parents in the total sum of 20, 000 (ZAR) south African rands (Twenty Thousand Rands) only.
- c. And for such further order or other order(s) as this Honourable court may deem fit to make in favour of the Petitioner.

The court haven adopted the Petitioner reliefs sought and hence there is no challenge or objection to the Petition as filed against the Respondent therefore.

The prayers sought by the Petitioner is hereby adopted and granted.

I therefore pronounced a dissolution of marriage between the Petitioner and the Respondent at the marriage celebrated in

the Oshimu South Local Government Asaba, Nigeria on the 22nd October, 2015 which was witnessed and signed.

So therefore, the marriage haven broken down irretrievably and parties can no longer live in the same roof therefore its hereby dissolved forthwith.

2. Each of the parties is free to go on it way and be free to enjoyed his / her own life. I so hold.

APPEARANCE:

Adewole Nathaniel Esq. for the Petitioner

Sign

Hon. Judge

04/07/2019