

**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: UKONU KALU & GODSPower EBAHOR**

**COURT NO: 11**

**SUIT NO: FCT/HC/PET/103/15**

**BETWEEN:**

**MR. SYLVESTER KENNEDY OGOGO.....PETITIONER**

**VS**

**MRS. ELIZABETH UNUNG OGOGO.....RESPONDENT**

**CONSENT JUDGMENT**

This Suit - a Petition for Dissolution of Marriage between the parties was filed on 16/2/2015 by the Petitioner and issues having been joined the matter went into full trial, mid-way into trial, the Petitioner and the Respondent opted for out of court settlement and with leave of court filed Terms of Settlement on 24/2/2020 praying the court to have it adopted and entered as Consent Judgment.

On 3/3/2020, the PW1 – Petitioner through his Counsel, adopted the said document and urge the court to enter it as Consent Judgment. The Respondent did not oppose and pray for the same relief.

Consequent upon that, the court having carefully considered the submission and evidence of the Petitioner – PW1 and the no objection, the

court on this circumstance allows the prayer sought. Accordingly, I hereby enter the said Terms of Settlement filed on 24/2/2020 be and hereby entered as the Consent Judgment of the parties in Suit. Finally, this court hereby enter a Decree Nisi, dissolving the marriage contracted on 27/2/2003 at the Federal Marriage Registry be dissolved and shall become absolute three month from today. I so hold.

### **TERMS OF SETTLEMENT**

- 1.1 The Petitioner commenced this action against the Respondent on the 16<sup>th</sup> day of February, 2015, seeking the following reliefs;
  - a. A Decree of dissolution of marriage, on the ground that the Respondent has deserted the Petitioner for a continued period of at least one year immediately preceding the presentation of the Petition.
- 1.2 The Petitioner had already concluded his Evidence-in-Chief and is still being cross-examined, when the Respondent filed her Answer to the Petition, and a Counter-Claim, out of time, with the leave of this Honourable Court, wherein she sought:
  - a. A Decree of Dissolution of Marriage between the Respondent and the Petitioner as the marriage has broken down irretrievably on the ground that the Petitioner has behaved in a way that the Respondent cannot reasonably be expected to live with the Petitioner.
  - b. A forfeiture order by this Honourable Court in favour of

the Respondent of their matrimonial home situate at No. 69<sup>A</sup> Golden Spring Estate Lokogoma, Abuja (which the Respondent has continued to abode before and after the desertion of the Respondent by the Petitioner) as compensation for the hardship that will be occasioned against the Respondent by the actions of the Petitioner and granting of the Petition in favour of the Petitioner as it is just and equitable for the court to make.

1.3 After several adjournments parties have agreed that the matter be settled out of court in the following terms:

- a. The marriage contracted between the Petitioner and the Respondent on the 27<sup>th</sup> of February 2009, be dissolved, having broken down irretrievably.
- b. As a mark of good faith and good will, the Petitioner has agreed to relinquish ownership of his house, where the Respondent currently resides, at No. 69<sup>A</sup> Golden Spring Estate, Lokogoma Abuja to the Respondent.
- c. The parties agreed that the Terms of Settlement contained herein be adopted as the Judgment of this Honourable Court.

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

Presiding Judge

3/3/2020

CANICE I. NKPE FOR THE PETITIONER

KANAYO OKAFOR FOR THE RESPONDENT