

**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/247/18

BETWEEN:

OLUWOLE OMEZIA MAYAKI.....PETITIONER

VS

OTIBHOR PRISCILLIA MAYAKI.....RESPONDENT

CONSENT JUDGMENT

By a Notice of Petition filed on 28/5/2018, the Petitioner – Oluwole Omezia Mayaki, prays the court for the reliefs contained in Paragraph 16.0 of the Petition.

- (a) A decree of dissolution of marriage contracted between the Petitioner and the Respondent at the Abuja Municipal Area Council (Abuja Municipal Area Council) Marriage Registry, Abuja.
- (b) An Order of the Honourable Court granting the Petitioner access to the two children of the marriage: Kayla Omoefe Mayaki and Emmanuella Ozavise Mayaki on any weekend of his choice within

- (c) a month and the children of the marriage and directing that the said children shall spend their long vacations (end of session vacation) with the Petitioner.
- (d) An Order of this Honourable Court restraining the Respondent from harassing, assaulting or in any other way or manner threatening the life of the Petitioner.

The facts upon which the Petitioner relies on for the dissolution of the marriage are as contained in Paragraph 7.0 of the Petition.

After pleadings have been exchanged, the case went into trial on 17/9/19, with the Petitioner, testifying as PW1 and his evidence, the marriage certificate was admitted in evidence as Exhibit "A". He was cross examined by the Respondent Counsel. At the close of the case of the Petitioner, both parties agreed to resolving their issues out of court, resulting to their filing terms of settlement.

On the 10th February, 2020, the Respondent gave evidence as DW1 and mainly confirmed the fact that they have resolve and not opposed to the said terms be adopted as the Consent Judgment of the parties in the suit. Consequent upon this position of the parties, the said terms of settlement filed on 7/2/2020 was adopted and both Counsel prayed the court to enter it as Consent Judgment of the parties in this suit.

Having carefully considered evidence of both parties and equally confirming the terms of settlement filed on 7/2/2020 by the parties in urging the court to enter as Consent Judgment accordingly, I hereby Order that the marriage celebrated on 25/9/2010 by the parties be and is hereby

dissolved and shall be become absolute from three months from today it is also ordered that the Terms of Settlement dated 7/2/2020 and filed same day is hereby entered as Consent Judgment of the parties in this suit.

TERMS OF SETTLEMENT

This Petition was filed on the 28th May, 2018 wherein the Petitioner prayed the court for dissolution of the marriage and access to the children of the marriage. Upon service of the Petition on the Respondent, the Respondent in her response asked for the sum of ₦50,000.00 for her maintenance, ₦100,000.00 for the upkeep of the children and an order directing the Petitioner to train the children of the marriage to at least university degree level or its equivalent.

However, by virtue of the various meetings and discussions between the parties and their respective Counsel particularly on the paramount nature of the welfare of the children and the need for amicable settlement of all the issues between the parties, the parties have agreed to settle the issues between them, except the issue on dissolution of the marriage, as follows:

1. Custody: That, as the issue of custody is not in contention abinitio, the children of the marriage shall remain in the custody of the Respondent while the Petitioner shall have access to them. He (the Petitioner) shall however give prior notice to the Respondent whenever he intends to have access to the children.
2. Welfare and upkeep of the children:

That for the purpose of welfare and upkeep of the children;

- a. The Petitioner shall pay to the Respondent the sum of ₦100,000.00 (One Hundred Thousand Naira) every month, which shall be paid on or behalf the last day of the month, for the upkeep of the children;
 - b. The Petitioner shall pay to the Respondent the sum of ₦650,000.00 (Six Hundred and Fifty Thousand Naira) every year for an apartment for the children and the Respondent.
 - c. The Petitioner shall be responsible for the education of the children to at least first degree level.
3. That the Petitioner is at liberty to increase the sum stated in Paragraph 2 (a) and (b) above for the sake of the children particularly as the cost of living goes higher and the value of the naira depreciates.
 4. That the terms of settlement be entered as part of the Judgment of this Honourable Court in this case.

HON. JUSTICE O. C. AGBAZA

Presiding Judge

19/03/2020

APPEARANCE

A.O. OLUWATOBA FOR THE PETITIONER

LUCKY EZEALOR FOR THE RESPONDENT.