

**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/009/2019

BETWEEN:

MRS ADESOLA FRANCES OGUNKOYA.....PETITIONER

VS

MR KAYODE SYLVANUS OGUNKOYA.....RESPONDENT

CONSENT JUDGMENT

The Petitioner filed this Petition on 15/10/19 praying for dissolution of the marriage entered on 15/1-/2011 and after taking step, as to service with leave of court, the parties having agreed to settlement, filed Terms of Settlement praying for a Consent Judgment be entered.

Consequent upon this, the Petitioner was asked to entered the dock to give evidence, the Petitioner as PW1, gave evidence adopting her witness deposition, the Exhibits "A" – Certificate of Marriage. The PW1 also confirmed to court the Terms of Settlement filed on 11/3/2020 wherein, she is praying the court to enter it as Consent Judgment.

The Respondent Counsel in court says he is not opposed and prays the court for same reliefs, consequent upon the evidence of PW1 – Petitioner, which remained unchallenged and uncontroverted and the Exhibit "A" and

Terms filed, the court finds that the parties have so agreed, who are both consenting adult, would be improper to refuse their request. Accordingly, the marriage contracted on 15/10/2011 at the Mary Queen of Angels Church, Akure, is hereby dissolved and a Decree Nisi entered and shall become absolute after three (3) months from today. Also the Terms of Settlement filed on 11/3/2020 is hereby entered as the Consent Judgment of the parties in this Suit. I so hold.

TERMS OF SETTLEMENT

THESE TERMS OF SETTLEMENT is made and entered into this 4th day of February, 2020.

BETWEEN:

MRS ADESOLA FRANCES OGUNKOYA formerly known as Miss Adesola Frances Ajayi currently residing at Apo Dutse Extension after Amina Court Estate, Abuja FCT.

AND

MR KAYODE SULVANUS OGUNKOYA currently residing at Johannesburg, South Africa.

1.0 WHEREAS:

1.1 The Petitioner instituted this Petition seeking the following reliefs:-

A Decree of Dissolution of Marriage on the ground that;

1.1.1 That the parties to the marriage have lived apart

for a continuous period of at least 2 (Two) years immediately preceding the presentation of the Petition and the Respondent does not object to a decree being granted.

1.1.2. And any other Order(s) this Hon. Court may deem fit to make in the circumstances of this Petition.

1.2. The Marriage was conducted accordingly to Christian rites at Mary Queen of Angel Catholic Church, Hospital Road Akure, Akure South Local Government Area of Ondo State on 15/10/2011.

1.3. That both parties lived together at their last residential address, 17 Burnway Street, Kelvin Sandton, Johannesburg 2090, Gauteng, South Africa from 14/11/2011 to 11/8/217 when the Petitioner moved to Nigeria.

1.4. That there are no children between the Petitioner and Respondent.

1.5. The Petitioner and the Respondent has agreed for the settlement of this Petition upon the terms and conditions stated herein.

1.6. The parties have now agreed to execute and file this

Terms of Settlement to be entered as the Consent Judgment of this Hon. Court.

- 1.7. This Terms of Settlement shall be binding on the parties, their privies, Servants and Agents.
- 1.8. The parties desire to settle in perpetuity their respective rights, duties and obligations, and all claims either party may have against the other.

2.0 NOW IT IS HEREBY AGREED AS FOLLOWS:

- 2.1 That after a careful consideration parties have agreed that a decree of dissolution of marriage between the parties be granted.
- 2.2 That the parties have lived apart from each other since 11/8/2017.
- 2.3 That parties have agreed to continually live independent and apart from each other, as if not married, and each party shall hence be free from any interference, harassment, authority or control whatsoever of the other party. The parties shall each have full and unfettered control over their own destiny.
- 2.4 That parties makes no claim whatsoever now or in the future with respect to any such tangible or intangible, real or personal property in the marriage.

- 2.5 That this Terms of Settlement, constitutes the entire agreement between the parties related to the subject matter hereof, and supersedes all prior agreements, whether written or oral. The parties disclaim, to the maximum extent, any representations or warranties not expressly made herein.
- 2.6 That this Terms of Settlement shall be entered as Consent Judgment between the Petitioner and the Respondent in dissolution of their marriage.
- 2.7 That this Terms of Settlement shall be binding on the Petitioner and the Respondent and shall serve as a bar to any further actions/law suit by or against any of the parties with respect to this marriage or this Petition.

HON JUSTICE O.C AGBAZA

Judge

10/6/2020

E.I. NWAFOR ESQ - FOR THE PETITIONER

S.T. SANNI – FOR THE RESPONDENT