

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY,
IN THE ABUJA JUDICIAL DIVISION,
HOLDEN AT GARKI COURT 10, FCT, ABUJA
BEFORE HIS LORDSHIP: HON. JUSTICE S. B. BELGORE**

CLERK: CHARITY ONUZULIKE

SUIT NO: FCT/HC/PET/194/2022

DATE: 22/02/2024

BETWEEN

PRECIOUS CHIOMA NZEMEKE.....PETITIONER

AND

NKEM NZEMEKE.....RESPONDENT

JUDGMENT

(DELIVERED BY HON. JUSTICE S. B. BELGORE)

In this case wherein the Petitioner petitioned for the dissolution of her marriage with the Respondent, which was conducted at Federal Ministry of Interior and St. Bridget Catholic Church on 23/9/2015 and 7/11/2015 respectively, was commenced on 2/2/2023.

One witness testified in the case on 2/5/2023 and two Marriage Certificates were put in evidence. They are Exhibit A and B.

We adjourned consequently for cross-examination of the lone witness.

However, in a sudden turn of event, parties reached an out of Court Settlement before the Court sitting today the 22/2/2024.

Learned Counsel to the Petitioner – O. V. Akowei Esq. a few minutes ago referred me to the Terms of Settlement dated 20/10/2023 and filed same day. She urged me to adopt it as the Consent Judgment of this Court.

Mr. U. S. Akpaba Esq. who hold the brief of K. J. Omang for the Respondent was similarly inclined.

I have considered their brief submission and adverted to the content of the Terms of Settlement filed. Clauses 1, 2, 3 and 4 thereof detailed the terms as agreed to by both parties. It touches on the issue of custody of their only child, Miss Somtochukwu Elisa Nzemeke; the School fees and general maintenance.

The two parties and their respective Counsel have signed and filed on 20/10/2023. I am therefore satisfied that the Terms of Settlement satisfied on the requisite condition for Consent Judgment.

I therefore have no difficulty in granting the Counsel's prayer meaning in effect that the Terms of Settlement dated 20/10/2023 and filed same day is hereby adopted as the judgment of this Court.

For avoidance of doubt, the terms of settlement are as follows:

1. That the Respondent is not challenging the divorce and agrees to the dissolution of the marriage as the marriage between parties has broken irretrievably.
2. All pre-existing arrangements as to the custody of their sole offspring Miss. Somtochukwu Elisa Nzemeke (their "Child") shall remain the same. The Petitioner and the Respondent shall have joint custody of their child. While the Petitioner shall continue to exercise rights to nurture and accommodate the child until she attains maturity, the Respondent shall have and

enjoy unfettered rights to visitations, outings or leisure. The right to have access to the child by way of visitations and leisure exercisable by the Respondent shall not be infringed upon.

3. That the Respondent has agreed to provide for maintenance of the child by the following means:

- i. Pay the child's school fees based on his income affordability.
- ii. Buy clothing for the child from time to time.
- iii. Provide medical bills for the child by putting her on his National Health Insurance Scheme (NHIS).
- iv. Pay the sum of Fifty Thousand (**N50,000.00**) naira only monthly to the Petitioner for the child's feeding. This sum shall be paid not later than the 3rd day of every new month.
- v. To provide for any incidentals that is directly connected to the needs and welfare of the child as at when they arise.

4. That all parties shall bear their respective cost of litigation.

5. That these terms shall be entered as Consent Judgment between the Petitioner and the Respondent.

This is the Judgment of this Court.

SIGNED
S. B. Belgore
(Judge) 22/2/2024