

**IN THE HIGH COURT OF JUSTICE FEDERAL CAPITAL TERRITORY  
IN THE ABUJA JUDICIAL DIVISION  
HOLDEN AT JABI –ABUJA**

**HIS LORDSHIP: HON.JUSTICE M.S. IDRIS**

**COURT NUMBER: 28**

**DATE:-10<sup>TH</sup> NOVEMBER, 2022**

**FCT/HC/PET/455/2018**

**MR. FRANK CHIKA NWAFOR-----**

**PETITIONER**

**AND**

**MRS. PATIENCE SAMUEL AYENAJEH-----**

**RESPONDENT**

**JUDGMENT**

The Petitioner file this petition before the Court dated 24<sup>th</sup> August, 2022 but filed in the Court Registry on the 25<sup>th</sup> August, 2022 seeking the following relief:-

1. A decree of dissolution of the marriage on the ground that the marriage has broken down irretrievably in the parties have been living apart for five year now.
2. An order of this Honourable Court awarding custody of the 3 (three) Children of the marriage to the Respondent with visiting right to the Petitioner.

The petition was serve on the Respondent. The Respondent did not file any process in defence of the case, both the petitioner and the Respondent where represented by Counsel in Court. On the 10<sup>th</sup> day of November, 2022 when the matter came up for hearing, Counsel to the Petitioner informed the Court that parties have settled and have file their terms of

settlement. Learned Counsel for the petitioner applied that the terms of settlement file in Court be entered as consent judgment in this case.

The terms of settlement as mutually agreed by parties are in the following terms:-

1. An order of this Honourable Court for a decree of dissolution of the marriage on the ground that the marriage has broken down irretrievably.
2. An order of this Honourable Court awarding custody of the 3(three) children to the Respondent while the children spent part of their vacation/holiday with the petitioner.
3. That the Petitioner shall continue to provide and contribute to the maintenance of the children of the marriage including payment of their school fees.
4. That the above terms are hereby jointly agree by the parties to form the judgment of the Court as full and final satisfaction of all claims related to this suit and any other agreement connected thereto, however closely or remotely attached to it.

The above terms were duly executed by the parties in this matter and their witnesses. Where parties settle and then prepare terms of settlement which they embody in a document and apply to Court for same to be entered as consent judgment in the matter, the duty of Court at that point is limited to give effect to the express intentions of parties as embodied in the filed terms of settlement.

Accordingly, the terms of settlement dated 1<sup>st</sup> November, 2022 and file in the Court's Registry on the 2<sup>nd</sup> November, 2022 voluntarily signed by the

parties directly involved should consider the above arrangement as consent judgment.

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**HON. JUSTICE M.S IDRIS**  
**(Presiding Judge)**

Appearance

Shehu Michael:- For the Petitioner.

M.S. Paul:- For the Respondent.