

**IN THE HIGH COURT OF JUSTICE OF THE F.C.T.**  
**IN THE ABUJA JUDICIAL DIVISION**  
**HOLDEN AT KUBWA, ABUJA**  
**ON THURSDAY THE 20<sup>TH</sup> DAY OF MAY, 2022**  
**BEFORE HIS LORDSHIP: HON. JUSTICE K. N. OGBONNAYA**  
**JUDGE**  
**SUIT NO.: FCT/HC/PET/20/2021**

**BETWEEN:**

**LOIS EBAKWU ALFA**

**--} PETITIONER**

**AND**

**ALHASSAN BABA**

**--} RESPONDENT**

**JUDGMENT:**

On the 17<sup>th</sup> of June, 2021 Lois Ebakwu Alfa filed this Petition for the dissolution of the marriage between her and Alhassan Baba because, the marriage, according to her, has broken down irretrievably and there is no more love in the said marriage.

The marriage was contracted on the 30<sup>th</sup> day of August, 2016 at the Federal Marriage Registry as shown in the CTC of the Marriage Certificate tendered before the Court as EXH A.

According to her, she received strange calls from a woman who she claims resides in the UK who claims to be married to the Respondent and who according to her, the Respondent confirmed had a son for him. The name of the lady is Aminata Massaquio. That when she confronted the Respondent, he became violent verbally

and physically. That the Respondent is temperamental and uses abusive words on her. And had physically assaulted her in the presence of his siblings. He is also given to infidelity and adultery. That attempt for the father of the Respondent to settle the issue proved abortive. That Respondent almost strangled her to death when they went on vacation in Dubai UAE.

That on 31<sup>st</sup> September, 2017 she left their matrimonial home to live with her elder sister and had since then lived apart from the Respondent till date. That all attempt to come to pack her belongings from their matrimonial home proved abortive as the Respondent refused her siblings to do so. That she discovered that Respondent had gotten married to another lady in Lagos by name Cleopatra Oluchi. That the said Cleopatra chatted her up on Facebook and informed her that her marriage to the Respondent is only on paper as the Respondent's heart belongs to her – Cleopatra. That she had lived apart from the Respondent for over three (3) years before filing for the Divorce. That the Respondent had moved on with his life. That the marriage has broken down irretrievably and that Respondent has behaved in such a way that she cannot reasonably be expected to live and continue to live with him. That Court should dissolve the marriage between her and the Respondent which was not blessed with any child.

After several attempt to serve the Respondent personally failed, the Court ordered for service by substituted means based on Petitioner's application. That Order was made on 25<sup>th</sup> November, 2021. The copy of the Petition and Hearing Notices were served by pasting too. But the

Respondent never entered appearance in paper or in person. He had no Counsel representation too.

The Court allowed the Petitioner to open her case. Court adjourned for Cross-examination by the Respondent/Respondent Counsel. They did not come up. Respondent never filed any Answer or Cross-petition too.

As the Court cannot wait in perpetuity, it foreclosed the Respondent. The Respondent was notified and Court reserved the case for Judgment after the Petitioner Counsel made an oral final address. Hence this Judgment being delivered today. The Respondent was notified about today's sitting that it is for Judgment. He is not here and had not Counsel to represent him.

Going by the facts in the Affidavit of the Petitioner coupled with her testimony which is not challenged even as I am delivering this Judgment, it is evidently clear that the marriage between her and the Respondent has broken down irretrievably.

Again, it is evidently clear that she had lived apart from the Respondent for over three (3) years. "Desertion is one of the grounds upon which dissolution of marriage can be based." Also she had shown cruelty and the fact that the said Respondent has been happily married to one Cleopatra Oluchi aside from the Aminata who she claims lives in the UK.

This Court has no reason not to dissolve the said marriage contracted on the 30<sup>th</sup> of August, 2016 based on the above facts which are not challenged or contradicted.

Based on those facts, this Court hereby grants the application of the Petitioner for the dissolution of the marriage.

The said marriage contracted on the 30<sup>th</sup> of August, 2016 between Lois Ebakwu Alfa and Alhassan Baba is hereby DISSOLVED today the 20<sup>th</sup> day of May, 2022.

This is the Order Nisi of this Court made today the 20<sup>th</sup> day of May, 2022.

After Ninety (90) days from today, if the couple fails to revive their conjugal right, then this Order Nisi shall automatically be made absolute.

**This is the Judgment of this Court.**

**Delivered today the \_\_\_\_ day of \_\_\_\_\_ 2022 by me.**

---

**K.N. OGBONNAYA**  
**HON. JUDGE**