

IN THE HIGH COURT OF JUSTICE OF THE F.C.T.

IN THE ABUJA JUDICIAL DIVISION

HOLDEN AT KUBWA, ABUJA

ON TUESDAY, THE 31ST DAY OF MAY, 2022

BEFORE HIS LORDSHIP: HON. JUSTICE K. N. OGBONNAYA

JUDGE

SUIT NO. HC/PET/462/2021

BETWEEN:

MRS. NANCY IFEANYI VICTOR.....PETITIONER

AND

MR. IFEANYI VICTOR.....RESPONDENT

BENCH JUDGMENT

This Petition was filed on the 9/11/21 by Nancy Ifeanyi Victor seeking for the dissolution of the marriage between her and Ifeanyi Victor contracted on 26/10/17 at the AMAC Registry she attached copy of the marriage certificate which was admitted and marked as Exhibit 1.

The Court deem as if set seriatim the facts upon which the Petition is predicated which included desertion, infidelity, lack of care and love cruelty.

The Respondent was served. He file an Answer of 26 paragraph denying most of the facts stated in the Petition. He on his part also alleged that the marriage has broken down irretrievably and he is fade up and want Court to dissolve it.

The parties had through their respective Counsel applied that the Court forego testimony of the parties and go straight to dissolve the marriage since both parties are fade up with it. The Court granted that application. The Court also granted the application by Petitioner through her Counsel to seek for maintenance allowance to be paid to her by Respondent. The Court granted same and Struck out that prayer from the Petition. So since there is nothing else to tarry about in the Petition and the parties have both decided to seek for divorce this Court has no reason not to listen to them.

The marriage was not blessed by any child. Besides the Petitioner has been living apart from the Respondent since 2nd May,2020. It is well over one year that the Petitioner has been living apart from the Respondent. It is the Law going by the provision of S.16 MCA that once one of the parties have lived apart from the other –Desertion, that it is a ground to rely on to dissolve a marriage. In this case the Respondent has been living apart from the Petitioner for over one year preceding the

filing of this Petition. Again there has been severance of conjugal rights too. That is another fact relied upon.

From all indication the parties given their body language and the facts stated in their Petition and answer to Petition are no longer interested in the marriage. Based on that this Court hereby dissolve the said marriage contracted on the 26/10/17 at the AMAC Marriage Registry because the said marriage has broken down irretrievably.

This is the Order Nisi of this Court. If after 90 days the parties fail to come together as husband and wife this Order shall become Absolute on the 91st Day.

This is the Judgment of this Court delivered on theday of2022 by me.

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K.N.OGBONNAYA

HON. JUDGE