

**IN THE HIGH COURT OF JUSTICE OF THE  
FEDERAL CAPITAL TERRITORY ABUJA**

**IN THE ABUJA JUDICIAL DIVISION  
HOLDEN AT MAITAMA - ABUJA**

**BEFORE: HON. JUSTICE O. C. AGBAZA**

**COURT CLERKS: UKONU KALU GODSPOWER EBAHOR & 2ORS.**

**COURT NO: 6**

**SUIT NO: FCT/HC/PET/498/2021**

**BETWEEN:**

**PAULINA DANIEL EDEKI.....PETITIONER**

**VS**

**MR. UKANA DANIEL EDEKI.....RESPONDENT**

**CONSENT JUDGMENT**

This is a Petition dated 1/12/2021 and filed same day by the Petitioner, seeking dissolution of marriage on grounds that the marriage has broken down irretrievably. The Petition was served on the Respondent, but Respondent did not file his Answer to the Petition.

The Petitioner opened her case on 19/9/2022 and informed the court that the parties agreed to Terms and filed same, which is now before the court; praying the court for Consent Judgment. However, because this is a matrimonial matter, the Petitioner is required to enter the Witness Box to testify and pursuant to the Order of Court, the Petitioner as PW1, testified and tendered Exhibit "A1" – "A2", "B" and "C1 – C6" and adopted the Terms of Settlement filed on 22/8/2022, in urging the court to enter it as Consent Judgment of the parties.

The Respondent does not oppose the application and evidence of the Petitioner – PW1 and relies on the evidence of the Petitioner.

Having carefully considered the evidence and the Terms of Settlement, the court hereby enters the Terms of Settlement filed on 22/8/2022 as the Consent Judgment of this court in this Suit. Decree Nisi also ordered, dissolving the marriage contracted by the parties on 18/11/2017 and shall become absolute after three (3) months from the date of this Judgment. I so order.

## **AGREED TERMS OF SETTLEMENT**

### **1.0 Introduction**

By a Notice of Petition dated 1<sup>st</sup> December, 2021 and filed the same date which has been served on the Respondent. The Petitioner caused a divorce Petition to be issued and served on the Respondent and thus effectively commenced an action against the Respondent as per the claims on the Petition and reproduced hereunder.

**WHEREAS**, the Petitioner claims against the Respondent the following Relief/Order:

- (a) A decree for the dissolution of marriage with the Respondent on the 18<sup>th</sup> day of November, 2017 on the ground that the marriage has broken down irretrievably.
- (b) And any order or other orders as this Honourable Court may deem fit to make in the circumstances of this case.

**1.1** This settlement states the Terms and Conditions that govern the Petition filed at Court 6 of High Court of the Federal Capital Territory FCT Abuja with Petition Number: PET/498/2021 before Hon. Justice C.O. Agbaza between Paulina Daniel Edeki and Mr. Ukana Daniel Edeki.

**1.2 WHEREAS**

This settlement is for the purpose of mutual Agreement between the Petitioner and the Respondent and shall not be used for any purpose other than as the evidence of conclusion and Agreement of the confidential settlement discussed between the Petitioner and the Respondent.

**1.3** The Respondent is not contesting the Petition and has agreed with the Petitioner that both of them should dissolve the marriage so that they can peacefully go their separate ways. The Respondent first showed that intention by filing an application for issuance of Divorce Summons at the Grade A Customary Court of Federal Capital Territory, Abuja holden at the Kuje as **Ukana Daniel Edeki AND Pauline Daniel** with Suit No: **FCT/JD/CC/CV/01/2020** on the **28<sup>th</sup> January, 2020** but was struck out for lack of jurisdiction.

**1.4** The parties have agreed that there is no children from the marriage and that the marriage has broken down irretrievably causing them to live apart since **January, 2019 till date.**

**1.5 NOW THEREFORE**

In consideration of the mutual covenants and agreement by the parties hereto, the Petitioner and the Respondent have agreed and do hereby settle the petition with Petition Number: PET/498/2021 on the following Terms:

- (a) From the date of this Agreement, the Petitioner and the Respondent agreed to effect the Relief claimed on the Petition and jointly accept that this agreed Terms of Settlement should be accepted by the Court and be used as Consent Judgment.
- (b) That none of the parties should use any of the Marriage Certificates from Mountain of Fire and Miracles Ministry with Certificate No:0001764 dated 18<sup>th</sup> November, 2017 and that of Federal Ministry of Interior, Federal Republic of Nigeria with Certificate No:08/2017 dated 18<sup>th</sup> November, 2017 for any documentation whether National and/or International as any of such act renders such documentation null and void without any effect and relevant and it thus amount to Criminal Act.

**1.6** Parties hereby make further assurance and undertake to implement this Agreement without bearing grudges whatsoever against each other. The parties irrevocably submit this settlement agreement to the exclusive jurisdiction of this Honourable Court, before whom this Notice of Petition with number: PET/498/2021 and these Terms of Settlement is entered

**1.7 IN WITNESS WHEREOF:**

The Petitioner and the Respondent have executed this settlement agreement, both parties by themselves and/or their witnesses as of the day and year set forth below:

Signed

**HON. JUSTICE O. C. AGBAZA**

Presiding Judge

17/11/2022

**Appearance**

U.O. OGUBUIKE ESQ FOR THE PETITIONER

NO APPEARANCE FOR THE RESPONDENT, BUT PRESENT IN COURT.