

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

**IN THE ABUJA JUDICIAL DIVISION**

**HOLDEN AT COURT 10, AREA 11, GARKI, ABUJA**

**BEFORE HIS LORDSHIP: HON. JUSTICE S. B. BELGORE**

**FCT/HC/PET/371/2021**

**BETWEEN**

**MRS. MOROLAKE OLAYEMI ALABI**

}

**PETITIONER/  
CROSS RESPONDENT**

**AND**

**MR. DIEKOLA ADEBISI ALABI**

}

**RESPONDENT/CROSS  
PETITIONER**

**J U D G M E N T**

In this case vide a Notice of Petition dated 22<sup>nd</sup> September, 2021 and filed same day, the parties seek for a dissolution of their marriage conducted at Federal Marriage Registry Ikoyi Lagos on the 7<sup>th</sup> February, 2013.

The marriage is blessed with two children –OgoOluwakiishaAlabi and AraOluwakiitanAlabi. Both are females. We have had two previous sittings in this case when some preliminary issue of service e.t.c. were dealt with.

Actually it was during last sitting which was 15<sup>th</sup> February, 2023 that the Petitioner's Counsel Mr. SeunOlokeogun Esq. informed the Court that parties were desirous of a settlement outside the Court. Mr. OlanrewajuAlonge of Counsel to the Respondent confirmed that settlement was in the offing. We consequently adjourned the matter till today to enable the parties filed their terms of settlement.

A few minutes ago, both Counsel drew the attention of the Court to the terms of settlement filed this morning of 28<sup>th</sup> March, 2023 and signed by them and the parties. Both Counsel were asking me to adopt it as the Judgment of this Court.

I have quickly taken a look at the process termed terms of settlement. It is signed by both Counsel and their respective parties. The date of filing is 28<sup>th</sup> March, 2023 and there is evidence of paying of the prescribed filing fees.

A quick look by me revealed that all their issues that calls for determination in this suit were admirable dealt with in the terms of settlement (that is, issues such as custody of children, Education of children, access to the children while on holidays and of course, the issue

of divorce/dissolution, as sought by Petitioner was agreed to by the Respondent. See the terms of settlement as filed and attached).

In consequence and flowing from all the above, this terms of settlement as filed by the parties through their Counsel is hearing adopted as the Judgment of this Court.

For avoidance of doubt, it is hereby ordered as follows:

1. The Respondent herein is completely agreeable to the divorce/dissolution sought by the Petitioner.
2. The custody of the children shall be jointly shared between the Petitioner and the Respondent.
3. The Respondent is agreeable to the Petitioner's request to take the two children of the marriage to the United Kingdom for a period of two years after which they will live with the Respondent for an equivalent period of two years after which the children will go back to the Petitioner or the parties may jointly decide whatever is in the best interest of the children.
4. The Respondent will be responsible for the cost of the education of the children in Nigeria while each party will be responsible for the cost of education and upkeep of the children outside Nigeria.

However, the Respondent will support as much as he can while the children are with the Petitioner in the United Kingdom.

5. The Respondent shall have access to speak with the children of the marriage daily without any restrictions by the Petitioner.
6. Should the Respondent be in the United Kingdom, he shall have access to the children on weekdays and keep them overnight if he chooses during the weekends so long he gives the Petitioner 48 hours' Notice. The same right of access shall be enjoyed by the Petitioner while the children are with the Respondent should the Petitioner be in the Respondent's country or residence.
7. Holidays will be equally shared between the parties provided that the party who doesn't have physical custody of the children at any point in time shall have the preference of choosing when they will have the children during the holidays.

That is the Judgment of this Court.

.....  
S. B. Belgore  
(Judge) 28-3-2023

