

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

**BEFORE HIS LORDSHIP: HON. JUSTICE MUHAMMAD S. IDRIS
COURT: 28**

DATE: 31st January, 2023

BETWEEN

FCT/HC/PET/021/2022

CECILIA OMOBOLANLE OLOWOOKERE---

PETITIONER

AND

ABAYOMI AYODIMEJI OLOWOOKERE-----

RESPONDENT

JUDGMENT

The Petitioner, as contain in her notice of petition dated and file on the 26th day of October, 2022 sought before the Court for the following orders:-

1. A decree of dissolution of the marriage because it has broken down irretrievably.
2. An order for the custody of the child, the product of the marriage with restrained supervisory rights to the Respondent.

A copy of the Petition and other originating Court processes were duly served on the Respondent. The Respondent did not file any process in defence of the petition, when the matter came up for hearing on the 31st day of January 2023, both parties where represented by Counsel in Court, the petitioner testified as PW1 where she testify before the Court that she and the Respondent have ceased co-habitation since July, 2018 and have been leaving

apart since then, petitioner tendered before the Court photocopy of their marriage certificate which was received and mark as exhibit 1 and that the marriage has produce a child, 9 years of age by name Olowookere Stephanie Oluwafolahanmi.

The petitioner as PW1 informed the Court that parties have settle out of Court and that they have filed same and she adopted same before the Court, Counsel to the respondent re-affirmed the submission of the Petitioner.

Learned Counsel for the petitioner and the Respondent applied that the terms of settlement adopted be entered as consent judgment, the terms of settlement as mutually agreed by parties are in the following terms.

1. That an order for dissolution of the marriage be made the marriage have broken down irretrievably,
2. The parties shall share joint custody of the product of the marriage until she attains the age of majority.
3. Parties shall bears their respective costs.

The above terms were duly executed by the parties in the 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 action. The duty of the Court at that point is limited to give effect to the express intention of parties as embodied in the filed terms of settlement.

Accordingly the marriage between the petitioner and the Respondent solemnized at foursquare Gospel Church, Badagry

Lagos and celebrated on the 1st day of December, 2022 is hereby dissolved, the terms of settlement and dated and filed on the 27th day of January, 2023 and duly executed by the parties and their witness is hereby entered as consent judgment.

**HON. JUSTICE M.S IDRIS
(PRESIDING JUDGE)**

APPEARANCE

Anayo Adibe:- For the Petitioner

E.I Ekwere:- For the Respondent