

IN THE HIGH COURT OF JUSTICE
EDO STATE OF NIGERIA
IN THE BENIN JUDICIAL DIVISION
HOLDEN AT BENIN CITY

**BEFORE HIS LORDSHIP, HONOURABLE JUSTICE C. O. IDAHOSA –
CHIEF JUDGE**

ON MONDAY THE 18TH DAY OF APRIL, 2016

BETWEEN:

SUIT NO. B/242D/2015

EMMANUEL A. ESEZOBOR

...

PETITIONER

AND

MRS. D. V. ESEZOBOR

...

RESPONDENT

JUDGMENT

The Petitioner is sworn on Holy Bible and states in English Language as follows:-

My names are Emmanuel Amiegbebhor Esezobor. I live at No. 9 Court Road Eguare Ubiaja Esan South East Local Government Area, Edo State. I am a Senior Lecturer in Banking and Finance in Samuel Adegboyega University Ogwa. I know the Respondent. She is my wife.

We got married on 16/12/1978 at Holy Cross Cathedral Mission Road, Benin City. This is the Certified True Copy of the Certificate of Marriage now shown to me.

Okungbowa Esq.

I seek to tender it.

Court:

Certified True Copy of Certificate of marriage dated 16/12/1978 is admitted and marked as EXHIBIT A.

Petitioner continues:-

Initially we cohabited in Benin City before we moved to the United Kingdom when times became hard. I was an accountant in New Nigeria Bank Ltd while my wife was a teacher.

I was posted to the London Branch of New Nigeria Bank in 1987, and returned to Nigeria in 1990. I left the Bank and got another job, which took us to Lagos.

Then as life became unbearable we relocated back to the U. K. in 1994. In the UK, life was very hard. I could not get proper job, I had to do menial jobs to keep my family going. We had four children in Nigeria and one in London. While job hunting, I was contacted, whether I would like to be a Director of the Chartered Institute of Bankers of Nigeria in Lagos (CIBN) in 2000. I agreed, and attended the interview in Lagos. Before I came for the interview, the whole family agreed, that if I found the job to be a good one, all of us should be in Lagos in six months. That was our agreement. I got the job and found it to be very good. After six months, I informed my family that they should come down to Lagos. I told them that the job was very good and I was earning enough to keep all of us in good life. They ignored me completely. My wife and children ignored me. I lived in Lagos alone for 10 years. The children used to make fun of me whenever I called them.

My wife sometimes took my calls but more often, she did not take my calls.

On 26/4/2010, Respondent sent me a text message, that she had come to my house in Lagos to pack her belongings and end the marriage. She actually packed her things and left. She came with a written list. In view of the situation and since I was lonely, I applied for early retirement and went to my village at Ubiaja. This was in 2010. Since then I have not heard from my wife and children
MY Children are as follows:-

- (1) Inibokun Esezobor (f) born 6/5/80
- (2) Eromosele Esezobor (m) born 25/8/81
- (3) Bokhome Esezobor (m) born 18/4/85
- (4) Agenra Esezobor (f) born 9/12/87
- (5) Aramhunder Esezobor (m) born 23 11/95

I want the court to grant me a divorce.

Okungbowa Esq.

That is all

Based on the evidence proffered on the Petitioner I urge the court to grant the divorce

Court:

I have considered the petition and the testimony of the Petitioner. I have also considered the address of learned counsel, and I am satisfied that the petitioner has satisfied the provisions of S. 15 (2) (f) of the Matrimonial Causes Act 1970.

The parties have fully lived apart since 26/4/2010, when Respondent came to the matrimonial home to remove her properties.

Prior to that date, they have lived more or less apart since 2000 when Petitioner secured a job with CIBN, Chartered Institute of Bankers of Nigeria, a job he described as very good.

Actually since 2000, the parties lived apart but there was a semblance of marriage until 2010, when Respondent packed her things out of the matrimonial home.

From then on, the marriage completely broke down and the only thing left now is for the court to give it a decent burial

As for the children, they are all adults now.

In the circumstances, the marriage contracted on 16/12/78 is hereby dissolved. A decree Nisi is hereby ordered dissolving the marriage.

This Decree shall be made Absolute in 90 days in the absence of any objection.

C. O. IDAHOSA
CHIEF JUDGE
18/4/16

COUNSEL

U. O. OKUNGBOWA ESQ. FOR PETITIONER