

**IN THE HIGH COURT FOR ZAMBIA
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(Divorce Jurisdiction)**

2016/HP/D009



BETWEEN:

THELMA KAPAMBWE KATONGO

PETITIONER

AND

NEIL CHATIWA BANDA

RESPONDENT

**Before the Hon. Mrs. Justice J.Z. Mulongoti
on the 1st day of July, 2016.**

For the Petitioner: In Person

For the Respondent: In Person

J U D G M E N T

This is a Petition for the dissolution of the marriage between the petitioner and the respondent. The petition shows that the couple was lawfully married on 11th December, 2009. On 31st March, 2010 they had twins namely Thabo Chatiwa Banda and Tumelo Chatiwa Banda. According to the petitioner the parties last lived as husband and wife at house No. 16 Mopani road, Chelstone Lusaka. That the said marriage has broken down

irretrievably by the fact that the parties have lived apart for a continuous period of at least two years immediately preceding the presentation of this petition.

The respondent filed a consent to the dissolution of the marriage and that he had no objection to granting of the decree nisi.

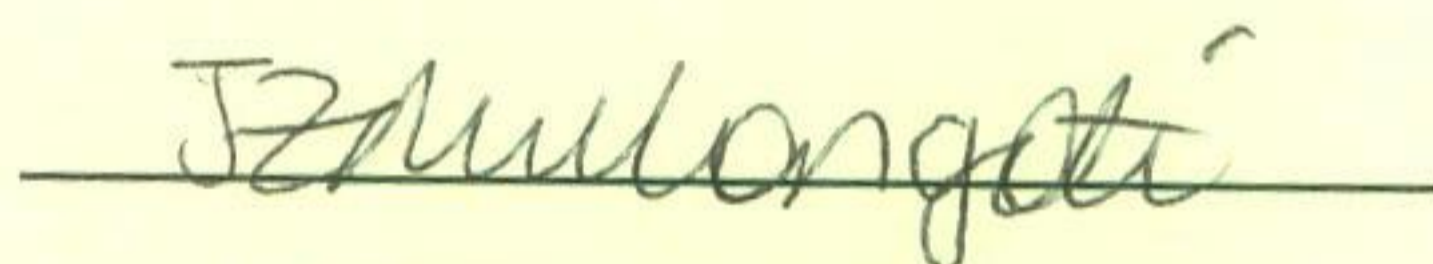
At the hearing on 5th May, 2016, the petitioner reiterated the contents of the petition and informed the court that parties have actually lived apart for 5 years.

The respondent also stated that he was not objecting to the dissolution and that they live apart. And that attempts at reconciliation have failed.

It is clear to me that this marriage has irretrievably broken down as the parties live separately and have lived apart for about 5 years. The respondent has equally consented to the dissolution.

Accordingly, I grant the decree nisi for the dissolution of the marriage to be made absolute within six weeks. Each party to bear own costs.

Delivered at Lusaka this 1st day of July, 2016.



**J.Z. MULONGOTI
HIGH COURT JUDGE**