

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

2019/HPF/D236

BETWEEN:

CECILIA MASAKA PHIRI



PETITIONER

AND

THOMAS PHIRI

RESPONDENT

**BEFORE: THE HON. MR. JUSTICE W.G.K. MUMA IN CHAMBERS ON
THE 27th DAY OF FEBRUARY, 2020**

For the Petitioner: National Legal Aid Clinic for Women

For the Respondent: In Person

J U D G M E N T

Legislation referred to:

- 1. Section 8 and 9 (1) (d) of the Matrimonial Causes Act No. 20 of 2007.**
- 2. Rule 33(3) of the Matrimonial Causes Rules, 1973.**

This is a Petition for Dissolution of Marriage Pursuant to Section 8 and 9 (1) (d) of the Matrimonial Causes Act No. 20 of 2007.

The Petitioner alleges that the marriage has broken down irretrievably and that the parties have lived apart for a period of at

least two years immediately preceding the presentation of the petition. Further that the Respondent consented to a decree nisi being granted.

Counsel invoked special procedure pursuant to **Rule 33(3) of the Matrimonial Causes Rules, 1973.**

The Registrar's certificate has confirmed compliance of the parties with respect to special procedure application.

Therefore I do grant the decree nisi with liberty to apply for decree absolute six weeks from the date hereof.

Maintenance applications to be determined by the District Registrar.

The date fixed for hearing of custody application is10.....
day ofMARCH..... 2020 at 09:00 hours in the forenoon.

I make no order as to costs.

DELIVERED IN CHAMBERS THIS 27TH DAY OF FEBRUARY, 2020



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W.G.K MUMA
HIGH COURT JUDGE