

**IN THE CIRCUIT COURT '2' ADENTAN SITTING BEFORE HER HONOUR  
SEDINAM AWO BALOKAH (MS) THE PRESIDING JUDGE ON THE 1<sup>S</sup> DAY  
OF DECEMBER, 2022**

**TIME: 10:25AM**

**SUIT NO. C5/012/2023**

**PATIENCE THYWILL COFFIE  
GD – 104 - 8167  
FRAFRAH FOSTER HOME**

**PETITIONER**

**VRS.**

**NANA KOJO BLAY  
EAST LEGON**

**RESPONDENT**

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Parties Present

**By Court:**

The Parties have filed a Terms of Settlement on 30<sup>th</sup> November 2022. In view of this, the Parties are called upon to offer evidence as to their claim that their marriage has broken down beyond reconciliation.

Evidence-in-Chief of Petitioner: SOB in English

**By Court:**

Identify yourself to the Court?

**A:** I am Patience Thywill Coffie

**By Court:**

Where do you live?

**A:** Foster Home, Frafraha - Accra

**By Court:**

What work do you do?

**A:** I am a Banker by profession

**By Court:**

How do you know the Respondent?

A: Yes, he is my husband

**By Court:**

When did you get married to the Respondent?

A: On 4<sup>th</sup> July 2015

**By Court:**

What type of marriage is it?

A: Ordinance

**By Court:**

Do you have proof of this?

A: Yes I have our marriage certificate. I want to tender it in evidence

**Respondent:** No objection.

**By Court:**

Parties' Marriage Certificate is admitted into evidence and marked as Exhibit A.

**By Court:**

Are there any children in this marriage?

A: Yes, two boys; Ekow Armah Blay (6 years old) and Nana Kojo Blay Junior (5 years old)

**By Court:**

Now, why do you want the Court to dissolve your marriage to the Respondent?

A: The Respondent deserted the marriage 3 years ago and said he is no longer interested in the marriage. We have each moved on with our lives.

**By Court:**

Have there been any attempt at reconciliation?

**A:** I talked to the Respondent, his elder brother and family to convince Respondent for us to reconcile but he has refused. Respondent has severally assured me that he is no longer interested in the marriage.

**By Court:**

You filed a witness statement in this court on 30<sup>th</sup> November 2022?

**A:** Yes.

**By Court:**

Can you confirm if this document is your witness statement and if that is your signature?

**A:** Yes it is my statement and signature.

**By Court:**

What would you like to do with your witness statement?

**A:** I wish to rely on my witness statement as my evidence in this suit.

**By Court:**

Apart from this, is there anything else you want to tell the court?

**A:** I pray the court to dissolve our marriage and adopt the Terms of Settlement we have signed and filed as Judgment. I also pray the court to caution Respondent to desist from verbally abusing me and insulting me in the presence of our children. I do not want them growing up learning such an abusive behavior from him.

**By Court:**

Is that all?

**A:** Yes.

**By Court:**

Any cross examination?

**Respondent:** No

**By Court:**

Petitioner, will you be calling any witness to testify for you?

**Petitioner:** No. I end my case.

**Evidence-in-Chief of Respondent: SOB in English**

**By Court:**

Identify yourself to the Court?

**A:** I am Nana Kojo Blay

**By Court:**

Where do you live?

**A:** at East Legon, Accra.

**By Court:**

What work do you do?

**A:** I am an accountant but unemployed at the moment.

**By Court:**

Is the Petitioner your wife?

**By Court:**

Did you enter an Ordinance Marriage with the Petitioner on 4<sup>th</sup> July 2015?

**A:** Yes.

**By Court:**

Do you have two sons with the Petitioner?

**A:** Yes.

**By Court:**

You filed a witness statement in this court on 29<sup>th</sup> November 2022?

**A:** Yes.

**By Court:**

Can you confirm if this document is your statement and signature?

**A:** Yes, that is my witness statement and that is my signature.

**By Court:**

Do you want to rely on your witness statement as your evidence-in-chief in this suit?

**A:** Yes.

**By Court:**

Apart from that, do you have anything else to say?

**A:** I just want to say that I am not an abusive person. Petitioner is the one who starts all our quarrels. We quarrel but I don't verbally abuse Petitioner in the presence of the children. We quarrel in the presence of the children since I left, we do not quarrel in the presence of the children any longer

**By Court:**

What would you like this court to do for you?

**A:** I want the court to dissolve our marriage and also adopt our Terms of Settlement.

**By Court:**

Is that all?

**A:** I never deserted the marriage Petitioner drove me out.

**By Court:**

Any cross examination?

**Petitioner:** No

**By Court:**

Respondent, will you call any witnesses to testify?

**Respondent:** No, I end my case.

### By Court - Judgment

I have read the pleadings filed by the Parties herein. I have further read their witness statements.

I have heard their testimonies and have found that on all the evidence on record, the following facts are established;

- 1) The fact that the Parties have not leaved together as husband and wife for three (3) years immediately preceeding the presentation of the instant Petition for Divorce, and
- 2) The fact that the Parties have irreconcilable differences.

Upon these two facts in evidence and in light of **Section 2 (1) (d) and (f) of the Matrimonial Causes Act 1971 (Act 367)**. I find and hold that the Ordinance Marriage celebrated between the Parties on the 4<sup>th</sup> day of July 2015 has broken down beyond reconciliation.

I accordingly dissolve the said Ordinance Marriage this 1<sup>st</sup> day of December, 2022.

The Registrar of this court shall issue to the Parties a Divorce Certificate and cancel their Marriage Certificate (Exhibit A).

Further, the Terms of Settlement dully executed by the Parties and filed in this court on 30<sup>th</sup> November 2022 is hereby adopted as Consent Judgment this 1<sup>st</sup> day of December 2022 in final resolution of all ancillary issues raised by the Petition.

I make no award as to cost.

**H/H SEDINAM AWO BALOKAH  
CIRCUIT COURT JUDGE**

**Comfy\***

